

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18543 of 2021**

Arising Out of PS. Case No.-592 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Ramnath Sahni, Son of Brahmdeo Sahni, R/O Village- Bharkurwa
(BHURKURWA), P.S Rajepur, Dist- East Champaran

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 30-07-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Yogendra Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with N.D.P.S. Case No. 81 of 2020 arising out of

Kanti P.S. Case No. 592 of 2020 registered for the offence

punishable under Section 25 (a-b)a, 26, 35 of Arms Act and

Section 8,20(b)(ii)C, 22C of Narcotic Drugs and Psychotropic

Substances Act (in short 'N.D.P.S. Act').

As per the prosecution story, while the informant

received a secret information that two miscreants are sitting

with arms, Ganja/Charas beneath Sadatpur over bridge to sell it and commit crime. The informant along with the Police personnel reached there and apprehended both of them who disclosed their names as Md. Kamruddin Mian @ Makra and Ramnath Sahni (petitioner). On search from the possession of Md. Kamruddin Mian @ Makra 800 gms. Charas and from the possession of Ramnath Sahni (petitioner) one loaded country made pistol has been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the petitioner was arrested in connection with this case with one loaded country made pistol and he has got one criminal antecedent, however, in the said case he is on bail. The petitioner is in custody since 23.09.2020.

Mr. Yogendra Kumar, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted by learned counsel for the petitioner that the petitioner was arrested in connection with this case with one loaded country made pistol, he is in custody since 23.09.2020, he has got one criminal antecedent, however, in the said case he is on bail, this Court directs release of the petitioner

above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Muzaffarpur in connection with N.D.P.S. Case No. 81 of 2020 arising out of Kanti P.S. Case No. 592 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail

bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.