

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25030 of 2021**

Arising Out of PS. Case No.-191 Year-2020 Thana- AURAI District- Muzaffarpur

BABLU SAHNI Son of Shri Chandeshwar Sahni Resident of Village -
Dharopatti, P.S.- Aurai, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 22-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399 and 402 of the Indian Penal Code, sections 25(1-B)(a) and 26 of the Arms Act and sections 8, 20, 22, 25 and 29 of the NDPS Act.

As per the prosecution case, the accused Sunil Kumar Mahto was apprehended by the police and it is stated that 520 grams of *charas*, a loaded country made pistol and a live cartridge was recovered from his possession. It is further stated that he disclosed the names of the accused persons who had managed to escape which included the petitioner herein.

It is submitted by learned counsel for the petitioner that neither the petitioner was apprehended at the spot nor any incriminating article has been recovered from his possession



the only material against him is the statement of the coaccused made before the police. The petitioner is in custody since 5.12.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the the petitioner being in custody for over 11 months, the Court directs the petitioner to be enlarged on bail in connection with Aurai P.S. Case no. 191 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, N.D.P.S. Muzaffarpur.

(Partha Sarthy, J)

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