

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26160 of 2021

Arising Out of PS. Case No.-9 Year-2013 Thana- MOTIPUR District- Muzaffarpur

SHIVNATH SAHANI Son of Late Tila Sahani Resident of Village - Hussepur
Nayatola, Police Station - Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399, 401, 402 and 414 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 20 and 22 of the NDPS Act.

As per the prosecution case, a loaded country made revolver with six live cartridges as also 10 kgs of ganja was recovered from possession of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his antecedents. He has not committed any offence much less than the offence alleged. He is in custody since 13.1.2013. He undertakes to cooperate in the trial.



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

A report was called for from the learned trial court.
As per the report received contained in letter dated 6.12.2021 of the 1st Additional Sessions Judge, Muzaffarpur till date only one witness has been examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for 8 years 11 months, the petitioner is directed to be enlarged on bail in connection with Trial no. 62 of 2016 (arising out of Motipur P.S. Case no. 9 of 2013 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 1st Additional Sessions Judge, Muzaffarpur.

(Partha Sarthy, J)

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