

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36479 of 2021**

Arising Out of PS. Case No.-419 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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BHOLA SAHANI Son of Dhrub Sahani Resident of Village - Jhakhiya, P.S. -
Banjariya, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-12-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 413, 414 and
120B of the Indian Penal Code, sections 25(1-B)(a), 26 and 35
of the Arms Act and sections 8, 20, 21 and 22 of the N.D.P.S
Act.

As per the prosecution case, two accused persons
namely Dina Sahni and Amir Sahni were caught and
incriminating articles like live cartridges and ganja were
recovered from their possession. It is further stated that accused
Dina Sahni took the name of other accused persons including
the petitioner herein as their being involved in the trade of



ganja, charas etc.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The only material against him is the statement of the co-accused made before police. No incriminating article has been recovered from his possession or his house. The petitioner is in custody since 22.2.2020 and charge sheet has been submitted in the case.

Heard learned APP for the State.

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 10 months and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Mufassil P.S. Case no. 419 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 3rd Additional Sessions Judge, East Champaran, Motihari.

(Partha Sarthy, J)

Prakash/-

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