

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33734 of 2020

Arising Out of PS. Case No.-295 Year-2020 Thana- MAHUA District- Vaishali

1. Rohit Sahani @ Rohit Kumar S/o Gorakh Sahani, R/o village - Abdulpur, P.S. - Mahua, Dist. - Vaishali.
2. Amarjeet Sahani @ Amarjeet Kumar Kuesa @ Kuesa @ Amarjeet Kumar, S/o Devendra Sahani @ Bhola Sahani R/o village - Abdulpur, P.S. - Mahua, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-01-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are languishing in custody for the offences punishable under Sections 399/402 of the Indian Penal Code, Sections 25(1-b)a/26/35 of the Arms Act and Sections 20/22/23/27(a) of the N.D.P.S. Act.

The petitioners and others were apprehended on suspicion that they were preparing to commit dacoity. From the possession of petitioner Rohit Sahani a loaded country-made pistol was recovered and from the possession of petitioner Amarjeet Sahani about 2 Kgs of Ganja was recovered. Both the petitioners are in custody since 03.06.2020.



Commercial quantity of Ganja was recovered from the possession of co-accused.

Considering the allegation against the petitioners, let the petitioner, namely, Rohit Sahani @ Rohit Kumar, be released on bail **after framing of the charges** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Mahua P.S. Case No.295 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(c) The petitioner shall not leave the country without permission of the trial Court.

So far petitioner No.2 Amarjeet Sahani @ Amarjeet Kumar Kuesa @ Kuesa @ Amarjeet Kumar is concerned, I am not inclined to enlarge him on bail for the present. Hence, his prayer for bail is refused. He may renew the prayer for bail if the trial is not concluded within nine months. The trial Court is directed to expedite the trial.



Accordingly, the application stands disposed of.

(Birendra Kumar, J)

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