

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.2198 of 2021**

Arising Out of PS. Case No.-124 Year-2020 Thana- BHAGWANPUR District- Vaishali

Rahul Sahani, son of Binda Sahni, Resident of Village- Basanta Jahanabad,
P.S.- Lalganj, Distt- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Adv.

For the Opposite Party/s : Ms.Madhuri Lata, APP

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

2 08-04-2021 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 learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Bhagwanpur P.S. Case No.124/2020 registered for the offences punishable under Section 414 of the Indian Penal Code, Sections 20, 22, 24 and 27A of the Narcotics Drugs and Psychotropic Substance Act and Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel submits that allegation against the petitioner is that he was caught with 4 kgs of Ganja which is less than



commercial quantity and one live cartridge but the petitioner has remained in jail for ten months in connection with the present case and he is ready to abide by the terms and conditions which may be imposed against him for securing his appearance in course of trial.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is alleged against the petitioner that he was caught with 4 kgs of Ganja which is less than commercial quantity and one live cartridge but the petitioner has remained in jail for ten months in connection with the present case, he is ready to abide by the terms and conditions which may be imposed against him for securing his appearance in course of trial and further there is no submission of the State that his release is likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released 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 Sessions Judge-cum-Special Judge, Vaishali in connection with Bhagwanpur P.S. Case No.124/2020, 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)

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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'.

