

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5010 of 2021**

Arising Out of PS. Case No.-301 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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DINESH SAHANI aged about 31 years Son of Kishori Sahani Resident of
Village-Kolhua Paigambarpur, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 26-03-2021 This matter is taken up for consideration through Video
Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections
399/402/411 of the Indian Penal Code, 8,20,22 of the NDPS
Act and sections 25,26 and 27 of the Arms Act.

As per the prosecution case, on secret information that
some 8/10 unknown accused persons have assembled for sale
and purchase of looted motorcycle, mobile phone, ganja,
Charas etc, raid was conducted and five persons including the
petitioner were apprehended from the spot.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner, though arms and contraband materials were recovered from other co-accused. Petitioner has claimed clean antecedent and he is in custody since 31.5.2020.

Considering the facts and circumstances of the case and the fact that no incriminating material has been recovered from the conscious possession of the petitioner and he has got clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge V, Muzaffarpur in NDPS Case No. 39/2020, Kanti Police Station Case No. 301/2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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