

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59831 of 2021

Arising Out of PS. Case No.-123 Year-2019 Thana- DARPA District- East Champaran

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RANJIT SAHANI @ RANJIT KUMAR SAHANI Son of Nanhak Sahani
Resident of Village - Tinkoni, P.S.- Darpa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of eight
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 399, 402, 412/34 of the Indian Penal Code,
25(1-b)a, 26, 35 of the Arms Act and 8/20(b)(ii)(b) of N.D.P.S. Act.

The prosecution allegation, in short, is that loaded country
made pistols and live cartridges along with 500 grams of charas are
recovered from the accused persons.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has falsely been implicated in the present case. Loaded country made



pistols and live cartridges along with 500 grams of charas are recovered. Arms are said to have been recovered from the possession of the co-accused. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, East Champaran at Motihari, in connection with Darpa P.S. Case No. 123 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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