

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3316 of 2022**

Arising Out of PS. Case No.-206 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

VINOD SAHNI @ VINOD KUMAR S/O SONELAL SAHNI @ SONI
SAHNI R/o village- Salempur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 26-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with N.D.P.S.
Case No. 110 of 2021 arising out of Bochahan P.S. Case No.
206 of 2021 registered for the offences punishable under
Sections 414 and 34 of the Indian Penal Code read with
Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 20
and 22 of the N.D.P.S. Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 09.08.2021, charge-sheet has been
submitted in the case and is a person with clean antecedent and
from perusal of the allegations as alleged in the FIR, it would
manifest that nothing is alleged to have been recovered from the
petitioner, as far as arms and ammunition and narcotics is



concerned, it is alleged that arms were recovered from Ranjay and mobile was recovered from Tuntun Kumar and Md. Wasim and 5 kg. Ganja was recovered from the pickup van in which the accused persons including the petitioner were found sitting.

The learned counsel submits that the petitioner has been falsely implicated in the present case, nothing is alleged to have been recovered from his conscious possession. It is next submitted that as far as recovery of Ganja is concerned, it was from pickup van in which it is alleged that petitioner was found sitting, it is next submitted that neither the petitioner is owner nor driver of the pickup van and he was merely a passenger and was not knowing who had kept the Ganja in the pickup van. It is also submitted that as far as recovery of Ganja is concerned, it cannot be said that it was from the conscious possession of the petitioner. It is next submitted that co-accused Md. Wasim has been granted bail by order dated 16.05.2022 in Cr. Misc. No. 70449 of 2021.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted in the case and nothing was recovered from his conscious



possession, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with N.D.P.S. Case No. 110 of 2021 arising out of Bochahan P.S. Case No. 206 of 2021 with a condition that one of the bailor of the petitioner shall be his father Sonelal Sahni @ Soni Sahni.

(Satyavrat Verma, J)

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