

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6829 of 2022

Arising Out of PS. Case No.-88 Year-2020 Thana- THAWE District- Gopalganj

1. Indal Sahni Son Of Gautam Sahni R/O Village- Patahara, P.S.- Yadopur, District- Gopalganj
2. Sanjay Sahni Son Of Late Daroga Sahni R/O Village- Lakshwar Near Yogi Baba Asthan, P.S.- Thawe, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-10-2022 It appears that vide order dated 28.07.2022,

the petition with respect to petitioner No. 1 namely Indal

Sahni has been permitted to be withdrawn.

Heard learned counsel for the petitioner No. 2

and learned APP for the State.

The petitioner No. 2 is apprehending his arrest

in a case registered for the offences punishable under

Sections 414, 420 of the Indian Penal Code and

Sections 8, 22(B)(ii)(B) of the N.D.P.S. Act.

There is recovery of 11 Kgs of Ganja from an

Apache motorcycle and one person was apprehended



who disclosed his name as Dilip Sahani. The apprehended accused disclosed the name of the petitioner as one of the persons who fled away from the place of seizure.

It is submitted by learned counsel for the petitioner No. 2 that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized motorcycle or the recovered contraband. The name of the petitioner has been sprang up only on the confessional statement of the apprehended accused who statement has no evidentiary value. A statement has been made in para 3 of the petition that petitioner No. 2 has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner No. 2, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Additional District &
Sessions Judge, 1st, Gopalganj in connection with Thawe
P.S. Case No. 88 of 2020, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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