

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41287 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- DERNI BAZAR District- Saran

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1. MUNNA SAHNI SON OF OM PRAKASH SAHNI R/O VILLAGE-MAHULI, P.S.- TARRIYA, DISTRICT- SARAN
 2. SATYENDRA SAHNI SON OF BHUSHAN SAHNI R/O VILLAGE-MAHULI, P.S.- TARRIYA, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Pandey

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2022 At the outset, learned counsel for the petitioners seeks permission to withdraw this application only against petitioner no. 2.

Permission is accorded.

This application stands dismissed as withdrawn only against petitioner no. 2.

So far as petitioner no. 1 is concerned, the instant application for anticipatory bail has been filed by the petitioner no. 1 apprehending his arrest in connection with Derni P.S. Case no. 3 of 2022 instituted for the offence punishable under Sections 8/20(b)(ii) (c)/29 of the NDPS Act.

As per allegation in the FIR, about 10 kg. Ganja were



recovered from a bag which was kept on motorcycle bearing registration no. BR-044A-1094 and Jai Prakash Rai was apprehended by the police, who disclosed the name fo the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 1 on bail. The petitioner no. 1 directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Derni P.S. Case no. 3 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Saran at



Chapra subject to the conditions as laid down under section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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