

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47235 of 2022

Arising Out of PS. Case No.-107 Year-2021 Thana- SIKTA District- West Champaran

Rajesh Sahni S/o Late Parma Sahni R/o village- Ghore, P.S.- Pokhariya,
District- Parsa (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Sikta P.S. Case No. 107 of 2021 lodged under Sections 20, 22,
23 & 27 of N.D.P.S. Act.

As per prosecution case, the allegation of recovery of
3 Kg *Ganja* is there in the F.I.R. from the possession of 2
accused persons who were going on bicycle.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that recovered quantity of *Ganja* is 3 Kg which is much
lesser than the commercial quantity. He further submits that

petitioner is in custody since 04.10.2021 and he is ready to furnish the sureties as per the satisfaction of the Court. He also submits that antecedent of petitioner is clean.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, West Champaran at Bettiah in connection with Sikta P.S. Case No. 107 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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