

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57039 of 2021

Arising Out of PS. Case No.-131 Year-2021 Thana- KANTI District- Muzaffarpur

MUNNA SAHANI SON OF RAM AUTAR SAHANI R/O VILLAGE-
KANTI KOTHIYA WARD NO.13, P.S.- KANTI, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-01-2022 Heard the learned counsel appearing for the petitioner and
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with NDPS Case No. 16 of 2021 arising out of Kanti P.S. Case No. 131 of 2021 for the offence punishable under Sections 399, 400 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation is regarding six miscreants having been nabbed by the police including the petitioner herein and as far as the petitioner is concerned, one loaded country made pistol with one live cartridge was recovered, however, no narcotic substance is stated to have been recovered from the petitioner, which, in fact, has been recovered from the co-accused person, namely, Kailash Sahni.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the



present case, is having a clean antecedent and he is languishing in custody since 22.01.2021. It is further submitted that the petitioner has already been suitably punished on account of the period of custody already undergone by the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is having a clean antecedent and is languishing in custody since about 11 months, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Muzaffarpur in connection with N.D.P.S. Case No. 16 of 2021 arising out of Kanti P.S. Case No. 131 of 2021.

(Mohit Kumar Shah, J)

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