

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33646 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- SARAIYA District- Muzaffarpur

=====

AVINANDAN SAHNI @ KALLU @ KALTU S/o Shambhu Sahni Resident
of Village- Chakbago, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with
CRIMINAL MISCELLANEOUS No. 57026 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- SARAIYA District- Muzaffarpur

=====

SUJEET KUMAR @ SANJIT KUMAR S/O Rajeshwar Ram Resident of
Village - Lakhnauri, P.S. - Deoriya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with
CRIMINAL MISCELLANEOUS No. 60812 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- SARAIYA District- Muzaffarpur

=====

Sonu Kumar Son Of Ramadhin Mahto Resident Of Village- Amaitha
Mangosar, P.S.- Saraiya (O.P.- Jaitpur), District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33646 of 2021)

For the Petitioner/s : Mr.Mukesh Kumar Jha, Adv

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

(In CRIMINAL MISCELLANEOUS No. 57026 of 2021)

For the Petitioner/s : Mr.Virendra Kumar, Adv

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

(In CRIMINAL MISCELLANEOUS No. 60812 of 2021)

For the Petitioner/s : Mr.Yugal Kishore, Adv

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA



ORAL ORDER

5 16-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State in these applications.

The petitioners seek bail in a case registered for the offence under Sections 414/34 of IPC and Sections 25(1-b) a, 26/35 of Arms Act and Sections 20/22 of N.D.P.S. Act.

On search, a loaded country made pistol alongwith 500 Gms of Charas and a Samsung mobile were recovered from possession of Sonu Kumar(petitioner), 600 Gms of Charas was recovered from possession of Sujit Kumar (petitioner) while a loaded country made pistol was recovered from possession of Abhinandan Sahani (petitioner). Besides, the above, a without number place Honda motorcycle was also recovered from them.

Learned counsel for the petitioner submits that the petitioners have falsely been implicated in the present case. He further submits that nothing has been recovered from conscious possession of the petitioners and in fact the police has planted the same and shows that the recovery has been made from possession of the petitioners. Petitioners are is in custody since 09.01.2021.



Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners and submits that the FSL Report confirms that the recovered narcotic is Charas and altogether recovered quantity is more than the commercial quantity (Total 500 Gms+600 Gms=1100 Gms). He further submits that petitioner-Avinandan Sahni @ Kallu @ Kaltu and petitioner-Sonu Kumar carry two more cases and petitioner- Sujeet Kumar @ Sanjit Kumar carries five more cases other than the present one.

Considering the aforesaid facts, I am not inclined to enlarge the petitioners on bail in connection with Saraiya P.S.Case No.20 of 2021.

Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

