

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64076 of 2021

Arising Out of PS. Case No.-718 Year-2020 Thana- KUDHNI District- Muzaffarpur

Ganesh Kumar @ Ganesh Sahani Son of Dular Sahani Resident of Village -
Kudhani Naya Tola, P.S.- Kudhani, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-02-2022 Heard learned counsel for the parties.

The petitioner seeks bail in Kudhani P.S. Case No. 718 of 2020, registered for the offence under Section 414/34 of the Indian Penal Code, Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 8, 20, 22 of the N.D.P.S. Act.

As per the prosecution case, this petitioner alongwith two co-accused persons were apprehended while going on a motorcycle and on search, one country-made pistol and four live cartridges have been recovered from the possession of this petitioner, whereas, from the dickey of the motorcycle, 1 kg. 933 gm. *Charas* was recovered.

It is submitted on behalf of petitioner that petitioner was pillion rider and motorcycle was being driven by co-accused Shivnath Sahani. Neither the alleged motorcycle belong



to this petitioner nor he has got any concern with the recovered articles. Petitioner had simply taken lift and while returning to home, police arrested all of them. Other similarly situated co-accused persons have already been granted bail by this Court and petitioner is in custody since 15.11.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 District and Sessions Judge, Muzaffarpur / concerned court in connection with Kudhani P.S. Case No. 718 of 2020.

(Prabhat Kumar Singh, J)

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