

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15573 of 2023

Arising Out of PS. Case No.-273 Year-2020 Thana- KANTI District- Muzaffarpur

Sanjeet Sahani S/O Shankar Sahani Resident of Village- Kolhua
Paigambarpur, P.S.- Ahiyapur, District- Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Khanti
P.S. Case No. 273 of 2020 (N.D.P.S. Case No. 37 of 2020)
Now N.D.P.S. Case No. 155 of 2022, registered for the
offences punishable under Sections 399, 402 and 411 of the
IPC, Section 8, 20 and 22 of the N.D.P.S. Act and Section
25 (1-B)a, 26 and 35 of the Arms Act.

As per allegation, from the apprehended co-
accused persons, one loaded country made pistol and 2 KG
of ganja were recovered. The apprehended co-accused
persons also disclosed the name of all the accused persons



including the petitioner as the persons, who escaped from the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not apprehended from the spot. His name has transpired in the confessional statement of apprehended co-accused, Satan Sahni, who has already been granted bail by a Co-ordinate Bench of this Court, vide order dated 12.02.2021, passed in Cr. Misc. No. 39143 of 2020. It is further submitted that no recovery has been made from the possession of the petitioner.

He further submits that the petitioner has been languishing in jail since 16.06.2022.

It has also been stated in paragraph no. 3 of the bail petition that earlier the petitioner has been made accused in two other cases also.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.



However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of ₹10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I, Muzaffarpur, in connection with Khanti P.S. Case No. 273 of 2020 (N.D.P.S. Case No. 37 of 2020) Now N.D.P.S. Case No. 155 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him



from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has concealed his criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

Amrendra/-

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