

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51093 of 2023

Arising Out of PS. Case No.-224 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Ram Swaroop Sahni Son Of Late Bisheshwar Sahni R/O-Koluha
Paigambarpur, P.S.-Ahiyapur, Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 06-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
N.D.P.S. Case No.24 of 2021, arising out of Ahiyapur P.S. Case
No.224 of 2021, registered for the offences punishable under
Sections 20/22 of the N.D.P.S. Act.

3. Learned counsel for the petitioner submits that
earlier prayer for bail of the petitioner was rejected vide order
dated 28.09.2022 passed in Cr. Misc. No.46965 of 2021, with
condition that liberty is granted to the petitioner to move for
bail ten months after framing of the Charges and the trial Court
is directed to expedite the trial at the earliest. Learned counsel
further submits that charges have been framed against the
petitioner on 13.09.2022. Counsel for the petitioner submits



that report has been called for. From the report it transpires that out of six charge sheeted witnesses not a single witness even produced by the prosecution till date.

5. Learned counsel for the State submits that as per observation ten months from the date of framing of the charges has elapsed. .

6. 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 Sessions Judge-II, Muzaffarpur, in connection with N.D.P.S. Case No.24 of 2021, arising out of Ahiyapur P.S. Case No.224/2021, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds; and

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

Mkr./-

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