

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57837 of 2022

Arising Out of PS. Case No.-419 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

VIKASH SAHANI @ VIKASH KUMAR SAHANI S/o Lalbabu Sahani R/o
village- Raghunathpur, P.S.- Raghunathpur, (Turkauliya), District- East
Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 413, 414, 120(B) of the
Indian Penal Code, Section 25(1-b)a, 26 and 35 of the Arms Act
and Section 8, 20, 21 and 22 of the NDPS Act.

Prosecution case relates to recovery of driving license,
smart card, pan card, SBI Card, cash of Rs. 4,330/- and 500 gram
ganja like substance were recovered from the house of the
petitioner. It is further alleged that petitioner along with his other
associates has looted a gold smith and and fired upon him resulting
into gunshot injury to goldsmith.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Nothing has been recovered from conscious possession of



the petitioner. Allegedly, recovery of 500 gram of ganja comes below the lesser quantity. Petitioner has not been put on TIP. Name of the petitioner transpired in this case at the instance of co-accused Dina Sahani, who has already been enlarged on bail by different co-ordinate Bench of this Court vide order dated 3.8.2022 passed in Cr. Misc. No. 39629 of 2022. Petitioner is languishing in judicial custody since 7.10.2020.

The application for bail is opposed by learned APP for the State and submitted that petitioner is a habitual offender as five cases of similar nature are pending against the petitioner.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Session Judge, East Champaran, Motihari in connection with NDPS Case No. 09 of 2021 arising out of Muffasil P.S. Case No. 419 of 2020.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

