

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60018 of 2022

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

BAIDYA NATH SAHNI @ BAIDYANATH SAHNI Son of Asarfi Sahni
Resident of village - Kolhua Imli Chowk, P.S.- Ahiyapur, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402, 411 of the Indian Penal Code, Sections 8, 20, 22 of the N.D.P.S. Act and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, after got secret information, the informant along with police officials conducted raid and apprehended four accused persons at the spot. Thereafter, on search, one loaded country made pistol was recovered from the possession of co-accused and 2 kg ganja like substance was also recovered from the joint possession of rest of the accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this



case. The petitioner has no concern with the alleged recovery of ganja or with the pistol. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The name of the petitioner came into light in this case on the basis of confessional statement of co-accused persons, who were apprehended on spot. The petitioner is remanded in this case from another case on 14.6.2022 and since then he is languishing in judicial custody.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with N.D.P.S. Case No. 37 of 2020 arising out of P.S. Case No. 273 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-1st, Muzaffarpur.

(Sunil Kumar Panwar, J)

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