

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65801 of 2022**

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

Parshuram Sahani @ Parshu Ram Sahani @ Parsuram Sahni Son Of Subhelal
Sahani R/O Vill.- Kolhua, Paigambarpur, P.S.- Ahiyapur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 07-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
06.09.2022 in connection with Kanti P.S. Case No. 273 of 2020,
F.I.R. dated 17.05.2020 for the offences punishable under
Sections 399, 402 and 411 of the Indian Penal Code and
Sections 8, 20 and 22 of the NDPS Act.

According to prosecution case, 1 kg Ganja like
substance and one motorcycle have been recovered from the
possession of the co-accused, namely, Sonu Sahni and many
other articles were also seized from the other accused persons. It



is further alleged that nothing has been recovered from his possession.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the name of the petitioner has been transpired on the basis of the disclosure made by the co-accused person, namely, Vikram Sahani and others. He further submits that from perusal of the F.I.R and the seizure list that nothing has been recovered from the possession or the house of the petitioner rather the recovery has been made from the other accused persons. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Satan Sahni has 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 and another co-accused, namely, Vikram Sahni has been granted bail by a co-ordinate Bench of this Court vide order dated 17.04.2021 passed in Cr. Misc. No. 8013 of 2021. The petitioner is in custody since 06.09.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents other



than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Additional District & Sessions Judge-I, Muzaffarpur in connection with Kanti P.S. Case No. 273 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the



court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

