

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50875 of 2024

Arising Out of PS. Case No.-405 Year-2022 Thana- KESARIA District- East Champaran

Sagar Soni Son of Vinod Sah Resident of Vill- Mhammadpur, P.S.- Kesariya,
District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Keshariya P.S. Case No. 405 of 2022 dated 11.08.2022 lodged under Section 412 of the Indian Penal Code read with sections 20, 22, 24, 25, 29 of the NDPS Act and sections 25(1-b)a, 26 & 35 of the Arms Act.

3. Learned counsel for the petitioner submits that the bail application of the petitioner was earlier rejected *vide* order dated 07.07.2023 passed in Cr. Misc. No. 39306 of 2023 with liberty granted to the petitioner that he may renew his prayer for bail after framing of charge. Counsel submits that charge has been framed in this case on 13.05.2024. Counsel further submits that earlier, the case has been filed under the provisions of



NDPS, IPC and Arms Act and the recovered alleged NDPS material has been sent for FSL and from the FSL report, it has been found that the material which has been alleged to be the NDPS is not actually NDPS which has been acknowledged by the Special Court *vide* order dated 18.04.2024.

4.Learned counsel for the petitioner further submits that the charge has been framed under the provisions of Arms act only which is apparent from the order dated 13.05.2024. Counsel submits that the criminal antecedent of the petitioner is not clean and there is one criminal case pending against him in which he is on bail. The petitioner is in custody since 12.08.2022 in the present case and presently, subsequent development is that the charge has been framed only in the Arms Act.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Keshariya P.S.



Case No. 405 of 2022, subject to the conditions as laid down
U/s 437(3) Cr.P.C.

7. However, the petitioner shall be granted bail only
on being satisfied by the Trial Court that the petitioner is not
absconding in any of the cases pending against him whose
details are as follows:-

(I)- Chakia P.S. Case No. 213 of 2022.

(Dr. Anshuman, J)

Divyansh/-

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

