

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51015 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- SATHI District- West Champaran

Subhash Sahani @ Subash Sahani son of Bikau Sahani Village- Somgarh Ps-
Sathi Dist- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sathi P.S. Case No. 60/2024 dated 05.04.2024 registered for the offence punishable u/s 8/20(b)(ii)(b), 8/20(b)(ii)(c) of the N.D.P.S. Act.

3. As per the prosecution case, on seeing the police personnel, two miscreants boarded on a Maruti car started fleeing away. The *Mahal chowkidar* (Motichand Manjhi) disclosed the name of one miscreant who fled away as, Subhash Sahni (the petitioner) whereas the another miscreant fled away from there. On search, 15 kgs. *ganja* was recovered from the said vehicle.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. No contraband was seized from the possession of the petitioner. The petitioner is neither the owner nor the driver of the said vehicle. The seized contraband is less than commercial quantity. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 14.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran at Bettiah in connection with Sathi P.S. Case No. 60/2024, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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