

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27368 of 2025

Arising Out of PS. Case No.-19 Year-2024 Thana- HARSIDHI District- East Champaran

Firoj Sahani Son of Deyali Sahani Resident of Village - Panapur Tadhawa
Tola, P.S.- Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sachin Kumar S/o- Sri Upendra Sahani R/o- Village- Bairiyadih, P.S.-
Harsidhi, Dist.- East Champaran (Motihari)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh- Advocate
For the State	:	Mr. Chandra Bhushan Prasad- A.P.P.
For the Informant	:	Mr. Satish Kumar Sinha- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-05-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the opposite party no.2.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 8, 20b(ii)(C), 25 and 29 of
the N.D.P.S. Act and Sections 30(a), 32(2) and 41(1) of the
Excise Act.

3. The learned counsel appearing on behalf of the
opposite party no.2 submits that marriage of Sachin Kumar is
fixed with daughter of the petitioner for 11.05.2025. It is further
submitted that initially, the marriage was fixed for 30.04.2025,
but then, the cousin grandmother of opposite party no.2 died on



28.04.2025, as such, the date had to be postponed. It is further submitted that the said fact was also communicated to the police personnel who had come for inquiry from the concerned police station.

4. The learned counsel for the petitioner submits that there was absolutely no occasion for the petitioner to make any false statement before this Court for seeking bail as this Court by an order dated 06.09.2024 in Cr. Misc. No.39359 of 2024 had given liberty to the petitioner to renew his prayer for bail after framing of charge. It is further submitted that the entire order sheet of the case has been annexed with the instant regular bail application to demonstrate that for no fault of the petitioner, till date the charges have not been framed. It is also submitted that the daughter of the petitioner is getting married and even the psychotropic substance was not recovered from possession of the petitioner. It is next submitted that if privilege of bail is granted to the petitioner, in that event, petitioner will not abscond rather would appear before the learned trial Court as and when required for the purposes of framing of charge.

5. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing



bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.01, East Champaran at Motihari in connection with Trial No.757 of 2024 arising out of Harsidhi P. S. Case No.19 of 2024, subject to condition that one of the bailors of the petitioner shall be his wife namely, Dinamuni Devi.

6. The application stands allowed.

7. It is made clear that if the learned trial Court comes to a conclusion that the petitioner after his release is trying to delay the framing of charge and thereafter trial in any manner, the learned trial Court shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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