

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61856 of 2025**

Arising Out of PS. Case No.-187 Year-2024 Thana- SAHEBPUR KAMAL District-  
Begusarai

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Laxman Sahani S/o Chandradeo Sahani @ Chandradeb Sahani R/o Shrawan  
Nagar, Ward No 18, P.S.- Darjeeling Siliguri, District- Darjeeling (West  
Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      24-09-2025              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with NDPS  
Case No. 31 of 2024 arising out of Sahebpur Kamal P.S. Case  
No. 187 of 2024 instituted for the offences under Sections 25(1-  
B)a, 26 & 35 of the Arms Act, Section 30(a) of the Bihar Excise  
Act and Sections 20 & 22 of the NDPS Act.

3.      This is the second attempt of the petitioner for bail.  
The petitioner has renewed his prayer for grant of regular bail  
which was earlier rejected on merit by this Court vide order  
dated 16-01-2025 passed in Cr. Misc. No. 79278 of 2024.

5.      Learned counsel for the petitioner submits that the



petitioner is languishing in judicial custody since 26.06.2024 without any rhymes or reason, having no criminal antecedent. Learned counsel further submits that charges against the petitioner have been framed but no any witness has been examined. He further contends that there is no likelihood of the trial being concluded in the near future. Learned counsel goes on to submit that the continued incarceration of the petitioner without conclusion of trial amounts to a gross violation of the fundamental right guaranteed under Article 21 of the Constitution of India, which is reiterated by Hon'ble Apex Court in plethora of judgments. The co-accused person has already been granted bail by this Court vide order dated 10.09.2025 passed in Cr. Misc. No. 54034 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case as also claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with NDPS Case No. 31



of 2024 arising out of Sahebpur Kamal P.S. Case No. 187 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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