

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64215 of 2025

Arising Out of PS. Case No.-288 Year-2024 Thana- SURSAND District- Sitamarhi

Shivshankar Sahni @ Shankar Sahni S/o Late Ravindra Sahni Resident of
Village- Sursand, P. S.- Sursand, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-09-2025 Heard Mr. Ashok Kumar Jha, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Sursand P.S. Case No. 288 of 2024 registered for the offence
under Sections 20(b) (ii)(B)/29/23(b) of the N.D.P.S. Act and
sections 25(1-b)(a), 26 and 35 of the Arms Act, lodged on
16.06.2024 by the informant Rajesh Kumar.

3. As per the prosecution story, the informant alleged
that on information of contraband material coming from the
border, a team was formed and intercepted the accused and from
the polythene there is recovery/seizure of one and half kg
'ganja' as also the arms/cartridges. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits he has
already remained in custody for long (17.06.2024) because of



criminal antecedent and similar situate Param Kumar has been granted bail by a bench on 20.06.2025.

5. Learned APP, Mr. Bharat Bhushan opposes the prayer submitting that he has criminal antecedent.

6. Considering the submissions of the parties as also the fact that he has remained in custody since 17.06.2024, an undertaking has been given that he shall be diligently appearing in trial, one of the co-accused has also been granted relief, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Sitamarhi, in connection with Sursand P.S. Case No. 288 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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