

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41120 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -KANHAULI District- SITAMARHI

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Sanjay Sah Son of Rampragas Sah, R/o Village- Korena, P.S.- Malangwa,
District- Sarlahi (Nepal).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-09-2017 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
04.04.2017 in connection with Kanhauli P.S. Case No. 42/2017,
for the offences punishable under Sections 8, 20(B)II/A of the
N.D.P.S. Act.

The prosecution case as lodged by the police personnel
is that on secret information that some persons are carrying ganja,
apprehended the petitioner and one other Salman Ansari. On
search, 700 gms of ganja was recovered besides mobile and
motorcycle. Accordingly, seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent. He bears no criminal history and has



been falsely implicated. He further submits that contraband item has not been recovered from his conscious possession, but from the motorcycle. Charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and materials on record, let the petitioner named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Sitamarhi in connection with Kanhauli P.S. Case No. 42/2017, subject to the condition that one of the bailors would be a close relative of the petitioner and if the petitioner is found to have indulged in similar offence in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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