

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22900 of 2018

Arising Out of PS. Case No.-216 Year-2017 Thana- KALYANPUR District- East Champaran

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Vinay Sahani, Son of Bihari Sahani, resident of village- Karja, P.O. + P.S.-
Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 29-06-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 93 of 2017 arising out of Kalayanpur P.S.
Case No. 216 of 2017, registered for the offence punishable
under Sections 399, 402 of the Indian Penal Code, Sections
25(1-b)a, 26, 35 of the Arms Act and Sections 20, 22, 24, 25
and 27 of the N.D.P.S. Act.

The allegation is regarding recovery of 500 grams
of charas from the possession of the petitioner.

The learned counsel for the petitioner submits that
the said quantity of charas recovered from the possession
does not qualify as a commercial quantity under the N.D.P.S.



Act, 1985. It is further submitted that the petitioner has been falsely implicated in the present case and prior to the filing of the present case, no other case was pending against the petitioner, however, after filing of the present case, he has been remanded in one another case. It is further submitted that the petitioner is languishing in custody since 13.12.2017.

Per contra, the learned counsel for the Union of India has opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge, East Champaran at Motihari in connection with N.D.P.S. Case No. 93 of 2017 arising out of Kalayanpur P.S. Case No. 216 of 2017.

(Mohit Kumar Shah, J)

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