

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2234 of 2019**

Arising Out of PS. Case No.-797 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

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Bagindra Rai Risedent of Village-Gosainpur, P.S -Siwaipatti, District  
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      17-01-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The petitioner is languishing in custody since  
25.07.2018 in connection with Ahiyapur P.S. Case No. 797 of  
2018 registered for the offences punishable under Sections 20,  
22 of N.D.P.S. Act.

From the possession of the petitioner 8.5 k.g. Ganza  
was recovered.

It is submitted by learned counsel for the petitioner  
that the petitioner is maliciously named in the present case. The  
bag of Ganza was not actually recovered from the conscious  
possession of the petitioner but it was hanging on the  
motorcycle, which was being driven by the petitioner. It is  
further submitted that petitioner has no criminal antecedent, as



statement made in para 3 of the bail petition.

Learned A.P.P. has vehemently opposed the prayer for bail and submitted that recovery has been made from the petitioner.

Considering the recovery which is between small and commercial quantity and statement in para 3 of the bail petition having no criminal antecedent and the period of custody, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No. 797 of 2018.

**(Dinesh Kumar Singh, J)**

sanjeev/-

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