

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20790 of 2020

Arising Out of PS. Case No.-1408 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

Sanjay Kumar S/o Jaga Sah R/o Village- Basauli Nankar, P.S.- Boachha,
District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : M/s. Kumari Sujata Sinha, Adv.
For the State : Mr. Md. Fahimuddin, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 14-10-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 20, 22 of the N.D.P.S. Act.

100 gram charas is said to have been recovered from
possession of the petitioner.

Submission on behalf of the petitioner is that above
stated quantity of charas comes under the category of small
quantity and moreover, having similar allegation, co-accused,
Md. Moti, Santosh Kumar and Sanjeev Kumar have already
been granted bail by different Benches of this court.

Learned Additional Public Prosecutor Md.



Fahimuddin appearing for the State concedes this fact that small quantity of charas is 100 gram but Section 37 of N.D.P.S. Act prohibits the court to grant bail to an accused of N.D.P.S. Act.

Perusal of para 3 of the petition goes to show that petitioner does not have any criminal antecedent and the aforesaid fact also reflects that petitioner was never indulged in such kind of activities prior to institution of the present case nor there is nothing on record to show that release of the petitioner would bring him into activities of offences of N.D.P.S. Act.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1408 of 2019.

(Hemant Kumar Srivastava, J)

shahzad/-

U		T	
---	--	---	--

