

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22781 of 2020

Arising Out of PS. Case No.-31 Year-2020 Thana- MIRGANJ District- Gopalganj

NANDLAL SAHNI Son of Late Manki Sahni Resident of Village -
Badarjimi, P.S.- Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar @ Alok Kr Shahi

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-09-2020

Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 8(c)/21(a) of the NDPS Act.

Allegation against the petitioner is of recovery of 15 small packets (3.30 gm) of Smack from the right pocket of his pant.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner is not involved in sale and purchase of Smack rather the said Smack was for his self consumption. It has been further submitted that the recovered quantity of Smack is lesser than small quantity as mentioned in the Central Government notification. Petitioner is in custody since 08.02.2020.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Trial No. 04 of 2020** arising out of **Mirganj P.S. Case No. 31 of 2020**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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