

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17363 of 2021

Arising Out of PS. Case No.-767 Year-2020 Thana- AHYAPUR District- Muzaffarpur

Satyam Kumar @ Chhotu Son of Ankaj Kumar @ Ankaj Thakur Resident of
Village - Dronpur, P.S. - Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 24-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in N.D.P.S. Case No. 84 of 2020, arising out of Ahiyapur P.S. Case No. 767 of 2020, registered for the offence under Sections 20 / 22 of the N.D.P.S. Act.

As per prosecution case, 20 gms. of Smack and 200 gms. *Ganja* have been recovered from the possession of this petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the possession of the petitioner. The alleged recovery is less than commercial quantity and as such, rigors of Section 37 of the N.D.P.S. Act would not be attracted. There is no allegation of tampering with the evidence against



this petitioner. Petitioner has got clean antecedent and he is in custody since 26.09.2020. Chargesheet has been submitted.

However, learned A.P.P. for the State has opposed the bail petition and submitted that in this case, huge quantity of narcotics has been recovered.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner.

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that he will cooperate in disposal of trial and appear before the trial court, as and when required.

With above observation, the bail petition stands disposed of.

(Prabhat Kumar Singh, J.)

anay

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

