

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19899 of 2021

Arising Out of PS. Case No.-307 Year-2020 Thana- ADAPUR District- East Champaran

CHAND HUSSAIN, S/o Kayamuddin Miya, R/o village- Chhapkahiya, Ward
No. 3, P.S.- Birganj, District- Parsa (Nepal).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India Through Ajay Kumar Insp/Gd, C-Coy 71 Bn Ssb
Motihari, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-09-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 20 and 22 of the N.D.P.S.
Act.

As per FIR, the petitioner was apprehended by the
police and there is recovery of 3.5 kg. Ganja from the conscious
possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the police has recovered 3.5 kg.
Ganja from the conscious possession of the petitioner. The said



Ganja is less than the commercial quantity. The petitioner is languishing in judicial custody since 16.09.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the fact that the aforesaid contraband articles has been less than the commercial quantity, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with N.D.P.S. Case No. 39/2020 arising out of Adapur (Harpur) P.S. Case No. 307/2020 to the satisfaction of learned Court below where the case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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