

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22373 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- INARWA District- West Champaran

SAKALDEO SAH @ SAKALDEEP SAH Son of Dularchand Sah Resident
of Village- Desauta, P.S.- Sherwa, District- Parsa (Nepal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Director General, Narcotic Control Bureau,
New Delhi. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-11-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Inerwa P.S. Case No. 77 of 2020 registered for the offence
under Sections 20(b), (ii)(b), 22, 23 and 24 of the N.D.P.S.
Act.

The case relates to recovery of 5kg Ganja.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. Nothing has
been recovered from the conscious possession of the
petitioner rather the alleged recovery has been made from



alleged motorcycle which does not belong to the petitioner. Moreover, the alleged quantity of recovered ganja does not come within the purview of the commercial quantity. The petitioner is rotting in judicial custody since 09.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bettiah in connection with Inerwa P.S. Case No. 77 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police



officer or tamper with the evidence.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

braj/-

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

