

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27371 of 2021**

Arising Out of PS. Case No.-879 Year-2020 Thana- SONEPUR District- Saran

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Ajay Kumar @ Ajay Rai S/O Ram Ekwai Rai @ Ram Ekwai Singh R/V-  
Daudnagar, P.O-Daudnagar, Chakghera, P.S.-BIDUPUR, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Nawal Kishore Pd.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      22-11-2021                      Heard both parties.

The petitioner seeks bail in Sonpur P.S. Case No. 879 of 2020 corresponding to Special Case No. 13 of 2020, registered for the offence punishable under Sections 8/20(b)(ii) (c), 25 and 29 of the NDPS Act.

As per the prosecution case, 10.288 KG of Ganja has been recovered from car of this petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from conscious possession of this petitioner. Mandatory provision of search and seizure has not been followed. The recovered Ganja is less than commercial quantity, as such rigorous of Section 37 of the NDPS Act, would not be attracted. Similarly situated co-accused Ranjan Kumar from whose possession 10.31 KG of Ganja has been recovered has



been granted bail by this Hon'ble Court vide order dated 10.09.2021 passed in Cr. Misc. No. 23709 of 2021. Petitioner claims clean antecedent and he is in custody since 18.12.2020. Chargesheet has already been submitted.

Considering the period of custody and clean antecedent of the petitioner, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Saran at Chapra in connection with Sonpur P.S. Case No. 879 of 2020 corresponding to Special Case No. 13 of 2020.

**(Prabhat Kumar Singh, J)**

vinita/-

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