

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29296 of 2021

Arising Out of PS. Case No.-1408 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

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ARUN SAHANI S/O BRAHAMDEV SAHNI RESIDENT OF VILLAGE
VIJAY CHHAPRA, DADAR KOLHUA, P.S-AHIYAPUR, DISTRICT-
MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 20 and 22 of the NDPS Act.

As per the prosecution case, on search being conducted it is stated that 100 grms each of charas was recovered from a group of accused persons and on enquiry they disclosed that the same had been provided to them for sale by three other accused persons which included the petitioner herein.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession.



The only material against him is the statement of a co-accused made before police. The petitioner is in custody since 13.10.2020 and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that as per the supplementary affidavit filed on behalf of the petitioner, the petitioner is accused in two cases under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner being in custody for more than 1 year and not having any antecedent under the NDPS Act, the Court directs the petitioner to be enlarged on bail in connection with Ahiyapur P.S. Case no. 1408 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS Act, Muzaffarpur.

(Partha Sarthy, J)

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