

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32870 of 2021**

Arising Out of PS. Case No.-295 Year-2020 Thana- MAHUA District- Vaishali

AMARJEET KUMAR @ KUESA S/O DEVENDRA SAHNI @ BHOLA
SAHNI R/o village- Abdulpur, P.S.- Mahua, District- Vaishali, Bihar

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

3 29-09-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 399, 402 of the I.P.C., Sections 25(1-B)a, 26, 35 of the Arms Act and Sections 20, 22, 23, 27(A) of the N.D.P.S. Act.

Petitioner is in custody since 03.06.2020. 2 kg. of Ganja was allegedly recovered from possession of the petitioner. Commercial quantity of Ganja was recovered from possession of co-accused.

In the past, prayer for bail was refused on 30.01.2021 with liberty to renew the prayer if the trial does not conclude within nine months.

The report of the trial Judge would reveal that the case



is still running for prosecution evidence.

Considering the fact that recovery from possession of the petitioner is of less than commercial quantity, let the petitioner, above named, 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 the learned Court-below where the case is pending in connection with Mahua P.S. Case No. 295 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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