

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33569 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- MAJORGANJ District- Sitamarhi

ANARJIT RAM @ ANARJEET RAM SON OF BHUTAN RAM @
BHUTANU RAM R/O VILLAGE- BARA, P.S.- BELWA, DIST.- SARLAHI
(NEPAL)

Kharik
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Majorganj Police Station Case No. 24 of 2021, registered for the
offences punishable under Sections 8/20(b) (II) (B) of the
Narcotic Drugs and Psychotropic Substances Act, 1985.

The allegation, as per the First Information Report, is
that 1.4 kgs. of ganja has allegedly been recovered from the
possession of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and at the time
of search and seizure, the procedure prescribed under Section 50
of the Narcotic Drugs and Psychotropic Substances Act, 1985



has not been followed. He further submits that the quantity of ganja recovered from the possession of the petitioner is less than the commercial quantity. He next submits that the petitioner is in custody since 20.02.2020, having no criminal antecedent and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, the quantity of ganja recovered from the possession of the petitioner is less than the commercial quantity, charge sheet has already been submitted and the petitioner is in custody since 20.02.2020, I am inclined to grant regular bail to the petitioner, **after framing of charge or on completion of one year in custody, whichever is earlier.**

This application is, accordingly, allowed.

Let the petitioner, Anarjit Ram @ Anarjeet Ram, be released on bail, **after framing of charge or on completion of one year in custody, whichever is earlier**, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge,



NDPS, Sitamarhi, in connection with Majorganj Police Station
Case No. 24 of 2021, subject to the condition that the bailors
shall be of Sitamarhi district.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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