

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35283 of 2021**

Arising Out of PS. Case No.-349 Year-2020 Thana- KANTI District- Muzaffarpur

Baidyanath Sahni S/O Asarfi Sahni R/o village- Kolhua Paigambarpur, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Jagdhar Prasad

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

2 08-12-2021 Heard both parties.

The petitioner seeks bail in Kanti P.S. Case No. 349 of 2020, registered for the offence punishable under Sections 8/20(b)(ii)(c)/22(c) of the NDPS Act.

One KG of Ganja has been recovered from possession of this petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from conscious possession of this petitioner. The recovered Ganja is of small quantity, as such rigorous of Section 37 of the NDPS Act, would not be attracted. Mandatory provision of search and seizure has not been followed. Petitioner claims clean antecedent and he is in custody since 21.06.2020.

Considering the period of custody, clean antecedent and the fact that small quantity of Ganja was recovered, 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 Additional District and Sessions Judge Ist, Muzaffarpur in connection with Kanti P.S. Case No. 349 of 2020.

(Prabhat Kumar Singh, J)

vinita/-

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