

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31183 of 2020

Arising Out of PS. Case No.-370 Year-2020 Thana- HAJIPUR District- Vaishali

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MUKESH SAHANI @ BABA @ BHOLA Son of Vaishali Sahani Resident of
Village - Shitalpur, P.S.- Dariyapur, Distt. - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Adv

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-02-2021 Heard the parties.

Petitioner seeks bail in a case registered for the offences punishable under Sections 8,20(b)(ii)(a) [**wrongly typed in impugned order 20(b)(ii)(B)(a)**], 22 and 29 of the N.D.P.S. Act.

From the physical possession of the petitioner, 40 Gms of smack was recovered.

Submission is that smack is Heroin and small quantity of Heroin is mentioned under the Act as five Gms and commercial quantity as 150 Gms. Petitioner has got no criminal antecedent under N.D.P.S. Act. There is non-compliance of mandate of law in the matter of search and seizure. Petitioner is in custody since 09.06.2020. Investigation of the case is already complete.

Considering the entire facts of this case aforesaid, 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 learned Court below where the case is pending in connection with Hajipur Town Police Station Case No.370 of 2020 with following conditions:

(a) Both the bailors shall be 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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