

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35405 of 2020

Arising Out of PS. Case No.-78 Year-2020 Thana- SAKRA District- Muzaffarpur

Santosh Sah @ Santosh Kumar, son of Late Mahadev Sah, R/o Village- Bazi Raut, P.S- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-05-2021 Heard Mr. Ashok Kumar Mishra, learned counsel

for the petitioner and Mr. Mritunjay Kumar Nirala, learned

APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sakra P.S. Case No. 78 of 2020, dated 26.02.2020 instituted for the offences under Sections 20(B) and 27(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 120B of the Indian Penal Code.

The learned counsel for the petitioner has submitted that from the perusal of the F.I.R. itself, it would appear that huge amount of *Ganja* has been recovered from



the shop, car and the residence of one Arun Sah, who is said to have named two other persons, namely, the petitioner and one Sonu Sah.

The petitioner happens to be the brother of aforesaid Arun Sah.

Admittedly, there is no recovery of narcotic which could be saddled on the petitioner. Therefore, the implication of the petitioner in the present case is only on the basis of confession of a co-accused, who is his brother.

Considering these aspects of the matter, the other accused person of this case, who was named by aforesaid Arun Sah, has been granted anticipatory bail by a Bench of this Court.

The petitioner does not have criminal antecedents as it appears from paragraph 3 of the bail application.

Considering the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt /



production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Muzaffarpur in connection with Sakra P.S. Case No. 78 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

