

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41111 of 2020

Arising Out of PS. Case No.-381 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

PINTU RAI son of Chanarik Rai Resident of Village- Chakaima, P.S.-
Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Hajipur Sadar P.S. Case no. 381 of 2020 registered under sections 8, 20(b)(ii)A, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act.

As per allegation in the FIR, on a raid being conducted 26 grams of smack is stated to have been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the allegation of recovery is false and concocted. No incriminating article has been recovered from his possession. Co-accused Manoj Kumar Rai has been enlarged on bail vide order dated 4.9.2021 (Annexure 2) passed by the learned Court



below. The alleged quantity of recovered article is below the commercial quantity. The petitioner is in custody since 30.6.2020 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case including the petitioner being in custody since 30.6.2020 and the quantity of recovery being below the commercial quantity, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Hajipur Sadar P.S. Case no. 381 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st-cum-Special Judge, Hajipur, Vaishali.

(Partha Sarthy, J)

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