

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4422 of 2021

Arising Out of PS. Case No.-209 Year-2019 Thana- MUZZFARPUR GRP CASE District-
Muzaffarpur

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SANJAY SAH, Son of Late Gonu Sah, Resident of Village - Madhubani
Ward no. 10, P.S.- Fenhara, Dist.- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Union of India Delhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Kumar Pathak Advocat
For the Opposite Party/s : Mr. APP..

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-02-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 8/17 (b), 18(b) Narcotics
Drugs and Psychotropic Substance Act.

Earlier also, petitioner had moved this Court for grant
of regular bail which was rejected vide Annexure 1 with liberty
to renew his prayer for bail after completing one year in jail
custody.

Allegation against the petitioner is recovery of 1 kg
490 grams of opium from his possession.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case



merely on the basis of suspicion showing false recovery of aforesaid opium from his possession. It is further submitted that petitioner has no concern with the alleged recovery of opium. Petitioner has no criminal antecedent and he is in custody since 23.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Muzaffarpur Rail (N.D.P.S.) P.S. Case No. 209 of 2019 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in
that case, prosecution will be at liberty to
move for cancellation of bail of the
petitioner.

(S. Kumar, J)

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