

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5445 of 2021**

Arising Out of PS. Case No.-416 Year-2020 Thana- AHYAPUR District- Muzaffarpur

VIKASH KUMAR SAHNI @ VIKASH SAHNI S/O GARIB NATH  
SAHANI @ GARIB SAHNI Resident Of Village - Jhapahan di, P. S. -  
Ahiyapura, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      16-04-2021                      Let the defects be removed within two weeks of the  
start of the physical Court.

Heard the parties in virtual Court.

The petitioner is languishing in custody for the  
offence punishable under Sections 20, 22 of the NDPS Act.

Submission is that 500 gms of *ganja* was alleged to be  
recovered from the possession of the petitioner. The recovered  
quantity was not commercial quantity, hence bar under Section  
37 of the NDPS Act is not applicable. Petitioner has got no  
criminal antecedent. Investigation of the case is already  
complete. There is non-compliance of mandate of law in the  
matter of search and seizure.

Considering the submission aforesaid, let the  
petitioner, above named, be released on bail on furnishing bail



bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Ahiyapur P.S. Case No. 416 of 2020, with following conditions:

(a) Both the bailors shall be the 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)**

Prakash Narayan /-

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