

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2925 of 2022**

Arising Out of PS. Case No.-145 Year-2021 Thana- KANHAULI District- Sitamarhi

SURENDRA SAH Son of Ram Govind Sah Resident of Village - Maudah,  
P.S.- Sahiyara, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      10-03-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Kanhauli  
P.S. Case No. 145 of 2021 instituted for the offences under  
Sections 8, 20(b), (ii) (B) of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 07.11.2021, is a person with clean  
antecedent and charge-sheet has been submitted in the case.

Allegation is of recovery of 2 kg. ganja from the  
motorcycle of the petitioner which he was driving.

Learned counsel for the petitioner submits that the  
petitioner has been falsely implicated in the case, nothing was  
recovered from his possession and even presuming what has  
been alleged is true, without admitting, for the purposes of bail,



the alleged recovery is a little more than small quantity and much less than the commercial quantity and is the first offence of the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted in the case, it is his first offence and the alleged recovery is much less than the commercial quantity, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (N.D.P.S.), Sitamarhi in connection with Kanhauli P.S. Case No. 145 of 2021 with a condition that one of the bailors shall be his father Ram Govind Sah and further in the event, if the petitioner is implicated in a case of similar nature and the same comes to the notice of the learned court below, the learned court below shall forthwith cancel his bail bonds.

**(Satyavrat Verma, J)**

Rishi/-

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