

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9811 of 2022

Arising Out of PS. Case No.-758 Year-2021 Thana- AHYAPUR District- Muzaffarpur

Anil Ram S/O Late Kailash Ram Resident Of Village- Chainpur, P.S.- Aurai,
District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 8 and other allied sections of the Narcotic Drugs and Psychotropic Substances Act, 1985 and sections 414/34 of the IPC and sections 25(1-B)a, 26 and 35 of the Arms Act.

As per the prosecution case, a country made pistol loaded with two live cartridges, one kilogram Ganja and several mobile phones as well as one Aadhar card of Deepak kumar Sigh were recovered from the house of the petitioner.

Learned counsel appearing for the petitioner submits that no incriminating material has been recovered from the conscious possession of the petitioner. Mandatory provisions with regard to search and seizure have not been followed. It is



further submitted that small quantity of Ganja has been recovered from the possession of the petitioner as such rigours of section 37 of the NDPS Act would not be attracted against the petitioner. Petitioner claims clean antecedent. He is in custody since 1.11.2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the quantity of recovery of narcotic substance and the period of custody, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge cum Special Judge Muzaffarpur in Ahiyapur Police Station Case No. 758 of 2021.

(Prabhat Kumar Singh, J)

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