

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16351 of 2022

Arising Out of PS. Case No.-173 Year-2019 Thana- KADAMKUAN District- Patna

Putti Sahani Son Of Late Shyam Prit Sahani Resident Of Village- Rajendrra
Nagar Gumti, Prachin Mandir Ke Piche, P.S.- Kadamkuan, District- Patna
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act and Sections 20 and 22 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 20.10.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Allegation is of recovery of 3.215 kg of ganja from the house of the petitioner and 27.600 litres of liquor from the house of Suraj Sahani.

Learned counsel for the petitioner submits that the petitioner was not arrested from the house and the *ganja* was seized was from a house which is a joint family property. It is further submitted that commercial quantity of *ganja* is 20 kg and the alleged recovery is much less than the commercial quantity



and a little more than the small quantity. Learned counsel submits that even presuming what has been alleged is true, without admitting for the purposes of bail, then the alleged recovery is much less than the commercial quantity, further the petitioner is a person with clean antecedent and it is his first offence.

Learned A.P.P. for the State 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 taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Special Case No. 3305 of 2019 arising out of Kadamkuan P.S. Case No. 173 of 2019 with a condition that one of the bailors of the petitioner shall be the mother of the petitioner, Mina Mosmat.

(Satyavrat Verma, J)

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