

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31525 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- BARAULI District- Gopalganj

CHANDAN SAHANI S/O LATE PANNA LAL SAHANI R/o village-
Majuraha Malahi Tola, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate.
For the State : Mr. Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 04-01-2022 The applicant/accused in Crime No.31 of 2021 registered with Police Station-Barauli for the offence punishable under Section 414 of the Indian Penal Code as well as under Sections 8(c), 20(b) (II) (B) of the N.D.P.S. Act, by this application is seeking his release on bail during the pendency of the trial.

Heard learned counsel appearing for the applicant/accused. He submits that the applicant is not having any criminal antecedents. The seizure is much below the small quantity of Ganja. It is further argued that the investigation is over and there is no likelihood of repetition of commission of similar offences by the applicant.

The learned A.P.P. opposed the application by contending that the offence is serious.

I have considered the submissions so advanced and also



perused the materials placed before me.

It is alleged that from custody of the applicant, Ganja weighing 600 grams came to be recovered. The small quantity as per the provisions of the N.D.P.S. Act in respect of Ganja is 1000 grams. The applicant is having no criminal antecedents. It is not pointed out that if he is released on bail, the applicant may commit similar offences in future. In this view of the matter, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.31 of 2021 registered with Police Station-Barauli for the offence punishable under Section 414 of the Indian Penal Code as well as under Sections 8(c), 20(b) (II) (B) of the N.D.P.S. Act, be released on bail on executing P.R. bond of Rs.20000/-(Rupees Twenty Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in



expeditious disposal of the trial against him.

(III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

P.S./-

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