

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35168 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- KANTI District- Muzaffarpur

MD. SHAHID Son of Md. Najir Resident of Village - Sadatpur, P.S. - Kanti,
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with Kanti P.S. Case No. 104 of 2021 registered for the offence under Sections 399 / 400 / 402 of the I.P.C., Section 20 / 22 of the N.D.P.S. Act and Section 25 (1-b) a / 26 / 35 of the Arms Act.

Prosecution case in brief is that Police on the basis of secret information that 7-8 miscreants have assembled near the Housing Board Office at NH-28, proceeded towards the place of occurrence and upon seeing the Police party, they started fleeing away and two accused persons managed to escape, however, the petitioner along with other accused persons were apprehended and from the possession of the petitioner 325 grams of “Charas” was recovered.



Learned counsel for the petitioner submits that petitioner has got no criminal antecedent and the quantity of “Charas”, which has allegedly been recovered from his possession does not fall under commercial quantity and it is his first offence under the N.D.P.S. Act. He further submits that petitioner is in custody since 12/02/2021.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that less than commercial quantity of “Charas” has been recovered from the possession of the petitioner, petitioner has got no criminal antecedent of similar nature of offence and he is in custody since 12/02/2021, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS, Muzaffarpur in connection with Kanti P.S. Case No. 104 of 2021.

praful/-

(Anil Kumar Sinha, J)

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