

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38049 of 2021

Arising Out of PS. Case No.-316 Year-2020 Thana- BHANGWANPUR HAT District- Siwan

VAKIL SAH Son of Waskit Sah Resident of Village - Kherhwa, P.S.-
Basantpur, Distt.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. the Union Of India through, Director, Narcotic, Drugs and Psychotropic
Substance Act. Govt. of India.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr. Humayou Ahmad Khan

Mr. Shyam Bihari Singh CGC

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-01-2022 Heard learned counsel for the parties through video
conferencing.

Petitioner seeks regular bail in connection with
Bhagwanpur Hat P.S. Case No. 316 of 2020 registered for the
offence under Sections 20 / 22 of the N.D.P.S. Act.

5.5 Kg of *Ganja* has allegedly been recovered from
the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner has got no criminal antecedent, there is no likelihood
that the petitioner will commit same offence in future and he is
in custody since 12-12-2020. He further submits that *Ganja*



allegedly recovered from the possession of the petitioner is less than commercial quantity.

Learned counsel for the Union of India on the other hand submits that 5 Kg 500 gm of *Ganja* has been recovered from the possession of the petitioner which is more than small quantity and less than commercial quantity.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, quantity of *Ganja* recovered from the possession of petitioner is less than commercial quantity, he is in custody since 12/12/2020 and charge sheet has already been submitted, 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, Siwan in connection with Bhagwanpur Hat P.S. Case No. 316 of 2020 on the following condition:-

- (i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the



part of the petitioner, his bail bond shall liable to
be cancelled.

(Anil Kumar Sinha, J)

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