

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38879 of 2021

Arising Out of PS. Case No.-82 Year-2021 Thana- ITARHI District- Buxar

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RANJEET KUMAR SAH @ RANJEET KUMAR Son of Shri Shivjee Sah
Resident of - Itarhi, P.S.- Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 23-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 20(b)(ii)(B) of the N.D.P.S. Act.

As per the prosecution case, 4.15 grams of Heroine is said to have been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession and he has been falsely implicated in the case. It is further submitted that accepting the allegations to be true for the sake of argument, the alleged recovery would still come under small quantity under the N.D.P.S. Act, 1985 and for the same, the punishment provided is for a term which may extend to one



year or with a fine upto Rs. Ten Thousand or with both. The petitioner has remained in custody since 4.3.2021. He has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the petitioner not having any criminal antecedent and having remained in custody for more than 11 months, the Court directs the petitioner to be enlarged on bail in connection with N.D.P.S. Case no.13/2021 (arising out of Itarhi P.S. Case no.82 of 2021) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Judge-cum-Special Court, N.D.P.S. Act, Buxar.

(Partha Sarthy, J)

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