

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34084 of 2022**

Arising Out of PS. Case No.-32 Year-2022 Thana- SAKRA District- Muzaffarpur

=====

VIKRAM @ SANNI SON OF LATE NIRANJAN SINGH R/O VILLAGE-  
SHABHA, P.S.- SAKRA, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Manjeet Kumar Mishra

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

=====

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      12-09-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
one month.

Petitioner seeks regular bail in Sakra P.S Case No. 32  
of 2022 registered for the offences punishable under Sections 20  
and 22 of the NDPS Act.

As per the allegation, the petitioner was apprehended  
when he was driving a motorcycle and during the course of  
search a plastic bag containing 550 gram contraband suspected  
to be Ganja was recovered and the said bag was hanging at the  
handle of the petitioner's motorcycle and one mobile phone was  
also recovered from his possession.

The main submissions advanced by learned counsel Sri.  
Manjeet Kumar Mishra appearing for the petitioner are that



against the petitioner there are three more cases as his criminal antecedent but he is on bail in the said cases and the present case relates to the recovery of the small quantity of the alleged contraband. Further submission is that the recovery of the alleged contraband is completely suspicious as per the seizure list, the seizure was prepared on 23.01.2022 the same contains the signature of the petitioner showing date 24.01.2022 and the said fact clearly makes the alleged recovery to be highly suspicious and the petitioner has been languishing in jail since 25.01.2022. Further submission is that the petitioner is suffering from critical mental disease.

Sri Awadhesh Kumar Singh, learned APP appearing for the State has opposed the prayer for bail.

In view of the above submissions and mainly considering the quantity of the alleged contraband which comes under the purview of small quantity for which maximum punishment described under NDPS Act is one year's imprisonment, in the opinion of this Court the petitioner deserves to a lenient approach of this Court.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge



II, Muzaffarpur in Sakra P.S Case No. 32 of 2022/ NDPS Case  
no. 31/2022 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

**(Shailendra Singh, J)**

s.hassan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

