

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43781 of 2022

Arising Out of PS. Case No.-139 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

Wakil Bind @ Wakil Bind Son of Late Nihora Bind Resident of Village - Sariyan,
P.s.- Durgawati, Distt.- Kamur at Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate.
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-11-2022 Video Conferencing.

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

Heard learned counsel for the petitioner and the learned APP for the State through virtual mode.

Petitioner seeks regular bail in connection with Chand P.S. Case No. 139 of 2022 registered for the offences punishable under Sections 8(c), 20(b)(ii)(B) and 27(A) of the N.D.P.S. Act, 1985.

As per the prosecution, while the informant along with other police personnel were on patrolling duty apprehended one Munna Chauhan and upon his confessional statement raided this petitioner's house and recovered 1.450 Kg of Narcotic material suspected to be *Ganja* and a cash of Rs. 5000/-.



The main submissions advanced by learned counsel Mr. Rajani Kant Pandey appearing for the petitioner are that the petitioner has been languishing in jail since 28.05.2022 and the alleged contraband suspected to be *Ganja* which was allegedly found in the house of this petitioner is slightly more than the small quantity and moreover the house from which the said recovery was made is in joint possession of the family members of the petitioner hence, the recovery cannot be deemed to have been made from conscious possession of this petitioner. Further submission is that the petitioner has fair and clean antecedent.

Learned APP appearing for the State has opposed the bail prayer.

In view of above submissions and mainly considering the petitioner's clean antecedent and his custody period and also the quantity of the alleged suspected contraband, in the opinion of this Court the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be enlarged 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 Court concerned in connection with Chand P.S. Case No. 139 of 2022.

(Shailendra Singh, J)

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