

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63148 of 2021

Arising Out of PS. Case No.-134 Year-2021 Thana- HATHAURI District- Muzaffarpur

KUNDAN KUMAR S/O MR. RAM NARESH SINGH R/o village- Narma,
P.S.- Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the of-
fences under Sections 20, 22 of the N.D.P.S. Act.

The learned counsel for the petitioner submits the peti-
tioner is in custody since 10.06.2021, charge-sheet has been sub-
mitted and has antecedent of one case and allegation is of recovery
of 2 k.g. *Ganja* from the petitioner, who was sitting in the middle
of the motorcycle with the plastic bag, which was being driven by
Jitendra Sahni and Navin Kumar was sitting as pillion behind the
petitioner.

The learned counsel submits that from bare perusal of the
allegation, as alleged in the FIR, it would manifest that allegation
of recovery of 2 k.g. of *Ganja* which is alleged to have been carried
by the petitioner who was sitting in the middle, the learned counsel



submits that the recovery is a little more than small quantity but much less than commercial quantity which is 20 k.g.

The learned APP vehemently opposes the bail application.

Considering the fact the petitioner is in custody since 10.06.2021, chargesheet has been submitted and the recovery of Ganja is much less than commercial quantity and a little more than small quantity, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Hathauri P.S. Case No. 134 of 2021 with condition that one of the bailor shall be the father of the petitioner (Ram Naresh Singh).

Further, if it comes to the notice of the learned Court below that the petitioner after his release is implicated in a case of the similar nature, the Court below shall forthwith cancel his bail-bond.

The application stands allowed.

sanjeev/-

(Satyavrat Verma, J)

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