

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79251 of 2023

Arising Out of PS. Case No.-701 Year-2023 Thana- AHİYAPUR District- Muzaffarpur

1. Rajkumar Sahani Son Of Ram Swaroop Sahni Resident Of Kolhua, Pagambarpur, Satsangnagar, District-Muzaffarpur
2. Usha Devi Wife Of Rajkumar Sahni Resident Of Kolhua, Pagambarpur, Satsangnagar, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Archana Sinha @ Archana Shahi

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for bail in a case registered for the offence punishable under sections 8(C), 21(b), 17 and 18 of NDPS Act.

As per allegation in the FIR, on getting secret information police party went to the house of the petitioners and arrested three accused including the petitioners and from possession of petitioner no. 1 5.52 gram smack and 16.90 gram smack was recovered from petitioner no.2.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed



no offence. Petitioner no. 2 is wife of petitioner no. 1. They have been falsely implicated in this Case. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is complete violation of provision of Section 50 of the NDPS Act. The recovered article comes below the commercial quantity. Petitioners have got no criminal antecedent and languishing in judicial custody since 6.6.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned 11th Additional Sessions Judge-cum-Special Judge, NDPS Act, Muzaffarpur in connection with Ahiyapur PS Case No. 701 of 2023 NDPS Case No. 128 of 2023.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

