

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20870 of 2024

Arising Out of PS. Case No.-1423 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Arun Sahani, aged about 23 years, Male, Son of Brahamdev Sahni, Resident
of Village-Vijay Chhapra, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 06-05-2024 This matter has been listed under the heading ‘For
orders (on office notes)’.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks bail in connection with
Ahiyapur P.S. Case No. 1423 of 2023 dated 29.10.2023
registered for the offences punishable under Sections 8 and 21b
of the N.D.P.S. Act.

4. As per the prosecution case, 6 Gram and 75
Miligram smack kept in 19 pouches is said to have been
recovered from possession of the petitioner.

5. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case. It is submitted that no incriminating article is recovered from possession of the petitioner. The petitioner has no concern with the alleged recovered article in any manner nor involved in the business of narcotics substances. It is submitted that the seized contraband is less than commercial quantity. It is further submitted that Section 50 of the N.D.P.S. Act is not applicable in the present case. The petitioner has two criminal antecedents, out of which, one case is of similar offence as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 30.10.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court No. II, NDPS Act, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 1423 of 2023 with further condition:-

(i) The petitioner is directed to remain physically present before the learned court



below on each and every date, failing which
on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are
liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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