

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38623 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- JOGBANI District- Araria

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Ajay Kumar Sah S/O Ramchandra Sah R/O VILL.- Khajurbari Swastik Nagar
Ward no. 07, P.S.- Jogbani, Dist.- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Jogbani P.S. Case No.75 of 2024, lodged on 10.04.2024, under
Sections 21(b)/22 of the Narcotic Drugs & Psychotropic
Substance Act, 1985.

3. As per the prosecution, FIR has been lodged against
four named accused persons including the present petitioner.
The total recovery of 30 grams of Smack has been the subject
matter of the present case. Recovery of 8 grams of Smack has
taken place from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the antecedent of the petitioner is not clean. There



is one criminal case pending against him in which he is on bail. Total recovery of 8 grams of Smack took place from the possession of the petitioner, which is much below the commercial quantity and higher than small quantity. Counsel further submitted that he has unnecessarily been made accused in this case.

5. Learned counsel for the State opposes the prayer for bail and submits that from petitioner’s possession 8 grams of Smack has been recovered and his antecedent is not clean.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner. above named, be granted bail **only after framing of the charge, if not framed, and on being satisfied that petitioner is not absconding in Jogbani P.S. Case No.188 of 2018**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge, NDPS, Araria, in connection with Jogbani P.S. Case No.75 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Mkr./Ankit

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