

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70722 of 2024**

Arising Out of PS. Case No.-78 Year-2024 Thana- KANHHAULI District- Sitamarhi

Suresh Sah @ Suresh Sah Kanu Son of Ramashrya Sah Resident of Village-  
Motisar, PS- Gangapur and Distt.- Bara (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rama Nand Poddar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      18-10-2024                      Heard the parties.

2. The petitioner seeks bail in connection with  
Kanhauri P.S. Case No. 78 of 2024 registered for the  
offence under Sections 414, 420, 467, 468, 489 D of  
I.P.C. and 8/20(b)(ii)(B) of NDPS Act, 1985.

3. The petitioner is named in the F.I.R. and is  
in custody since 17.06.2024.

4. The allegation against the petitioner is to  
have in possession of 2 kg of *ganja* alongwith other co-  
accused persons/family members.

5. Learned counsel appearing on behalf of the  
petitioner submitted that alleged recovery of 2 kg *ganja*/



contraband was made from the house of co-accused namely Amresh Singh @ Amresh Kumar Singh. It is submitted that counterfeit currency was recovered from the house of same co-accused and as this petitioner was merely found sitting at his *darwaja* along with other co-accused person, he was arrested with present case. It is further submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, as such, there is no chance of tampering with the evidence. While concluding the argument, it is submitted that co-accused, namely, Amresh Singh @ Amresh Kumar Singh has been granted bail by this Court through Cr. Misc. No. 64134 of 2024 vide order dated 11.09.2024.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid facts and circumstances and by taking note of fact as recovered contraband / *ganja* is less than commercial quantity where recovery not appears to be made from conscious physical



possession of this petitioner, coupled with fact that investigation is already completed where petitioner is in custody since 17.06.2024, accordingly petitioner above named, is directed to be released on bail in connection with Kanhauli P.S. Case No. 78 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Sitamarhi/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

**(Chandra Shekhar Jha, J)**

Sudha/-

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