

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75061 of 2023**

Arising Out of PS. Case No.-178 Year-2023 Thana- JOGBANI District- Araria

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1. SAWAN KUMAR SAH @ SAWAN KR. SAH SON OF SANJAY KUMAR SAH @ SANJAY SAH RESIDENT OF VILLAGE - NETAJI CHOWK, PS- JOGBANI, DIST- ARARIA
  2. SANJAY KUMAR SAH @ SANJAY SAH SON OF LATE BASUDEV SAH RESIDENT OF VILLAGE - NETAJI CHOWK, PS- JOGBANI, DIST- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Gopal Kumar Jha  
For the Opposite Party/s : Mr.Pushpa Sinha. 1

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

4      27-02-2024                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Jogbani P.S. Case No. 178/2023 registered for the offence punishable under Sections 414 of the Indian Penal Code and Sections 21/22 of the NDPS Act and Sections 25(1-b)a, 26 Arms Act.

3. In view of the fact that there is recovery of commercial quantity of smack from the petitioner No. 2 (Sanjay Kumar Sah), learned counsel for the petitioners does not press the application for bail of petitioner No. 2.

Accordingly, the present application against petitioner



No. 2 (Sanjay Kumar Sah) is dismissed as withdrawn.

4. There is recovery of around 28 grams of smack from the petitioner No. 1 who is in jail from 11.07.2023 and has clean antecedent. The petitioner No. 1 has no criminal antecedent.

5. Considering the recovery of intermittent quantity of smack and also considering the fact that the petitioner has clean antecedent, this application for bail of the petitioner No. 1 is allowed.

6. Let the petitioner No. 1 above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge cum Special Judge, NDPS, Act, Araria in connection with Jogbani P.S. Case No. 178/2023.

7. The petitioner No. 1 is directed to mark his attendance in Jogbani Police Station on 1<sup>st</sup> Sunday of every month. Failure to do so, will result in cancellation of bail bond of the petitioner.

**(Sandeep Kumar, J)**

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