

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76885 of 2024

Arising Out of PS. Case No.-854 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Puran Sahani Son of Late Mukh Lal Sahni R/O-Village- Bijay Chhapra, P.S.-
Ahiyapur, District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ahiyapur P.S. Case No.854/2024 dated 26.06.2024 registered for the offence punishable u/s 8(c) and 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, total 6.25 grams smack like substance was recovered from the bedroom kept beneath the pillow of the co-accused, Shiv Shankar Mahto and total 31.26 grams smack like substance was recovered from the possession of the petitioner and the other co-accused persons.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The seized contraband is less than commercial quantity. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 27.06.2024. The co-accused person has already been granted regular bail by this Court vide order dated 30.09.2024 passed in Cr. Misc. No. 65301 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner was found in the house of the co-accused, Ram Lal Sahni where the said recovery has been made.

6. 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 Court concerned, Muzaffarpur in connection with Ahiyapur P.S. Case No.854/2024, with the 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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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