

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1684 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- LAUKAHI District- Madhubani

Shyam Sundar Sah S/o - Chutharu Sah R/o - Village, - Jhahuri, P.S. - Laukahi,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Ravi Prakash, learned counsel appearing
on behalf of the petitioner and Mr. Damodar Prasad Tiwary,
learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Laukahi P.S.Case No.271/23, registered for the offences
punishable under Sections 8/20(b)(ii)B/25/29 N.D.P.S.Act.

3. As per the allegation made in the FIR, total 05 Kg.
Ganja was recovered from the house of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and the place
of recovery is accessible to any of the members of his family.
The petitioner was not present at the time of alleged seizure. As
such, the petitioner seeks to be released on pre-arrest bail.

5 Learned APP for the State vehemently opposed the



prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that 05 Kg. *Ganja* was recovered from the house of the petitioner, which is inhabited by other family members and the petitioner has denied that he was present at the time of alleged seizure, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Madhubani in connection with Laukai P.S.Case No.271/23 subject to conditions as laid down under Section 438(2) of the Cr.P.C. with further condition that the petitioner will furnish a personal bond of Rs.05 lac along with two respectable persons of the said village, out of them one shall be government servant. The petitioner will also give an undertaking that he will not be involved in the crime of similar nature in future, otherwise, this order will lose its force.

7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in



paragraph No.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

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