

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2736 of 2025

Arising Out of PS. Case No.-110 Year-2024 Thana- PALASI District- Araria

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Sanni Kumar Sah @ Shani Kumar Sah S/O Late Ashok Sah @ Ashok Kumar Sah R/O Baluwa Kaliaganj, Ward no. 11, P.S.- Palasi, Dist.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-02-2025 Heard the learned counsel for the parties.

2. This is the 2nd attempt of the petitioner. Earlier the bail application of the petitioner was rejected vide order dated 26.06.2024 passed in Cr. Misc. No. 43690 of 2024.

3. The petitioner seeks regular bail in a case registered for the offence under Sections 8(c), 20(b)(ii), 22(c) of the NDPS Act and Section 120B of the Indian Penal Code.

4. The petitioner is in custody since 28.03.2024 and it has been submitted that the recovered amount of smack is of less than commercial quantity.

5. The learned counsel for the petitioner also submits that the petitioner is not accused of any case under NDPS Act. He further submits that the trial is being delayed as only charges have been framed and no witness(s) has been examined.



6. Considering the intermittent quantity of recovery, this application is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions cum Special Judge, NDPS Act-cum-learned Additional District and Sessions Judge-IV, Araria/concerned Court below in connection with Palasi P.S. Case No. 110 of 2024 subject to conditions that:-

(i) The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial.

(ii). While accepting the bail bond of the petitioner, the Court below will verify the fact as to whether the petitioner is accused in any other case under NDPS Act or not. If the petitioner is found accused in any other case under NDPS Act, the bail bond of the petitioner shall not be accepted.

(iii) The petitioner, after being released on bail is directed to mark his attendance at Palasi Police Station on every Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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