

In the Court of Addl. Sessions Judge- I-Cum- Special Judge NDPS

Vaishali at Hajipur,

Sarai PS Case no.-271-2023

NDPS (Gr.) No.-41/2023

Order

22.01.2024 A bail petition on behalf of the petitioner Jitendra Sahni who is in custody since 16.10.2023 in connection with Sarai PS Case no. 271/2023, u/s 8/20 (ii) (b) (A), 7(c), 21(a) of NDPS Act filed and moved.

The prosecution case in short is that on 14.10.2023 at about 20:00 PM the informant along with the police team proceeded for raid and in that course he received a confidential information that some drug addicts were assembled near Mansurpur Dhala. On the said information when the informant reached at the road which entered in Mansurpur village he observed that 5 to 6 persons assembled there started running away upon witnessing police. They were tried to be apprehended but only one out of them was caught who upon inquiry stated his name to be Jitendra Sahni and he confessed that he is the seller of illegal ganja. On search of his right packet police has recovered 26.740gm ganja and total 4.600gm smack was recovered. Accordingly, seizure was prepared and FIR has been instituted.

The learned counsel for the petitioner submits that the petitioner is quite innocent and he has committed no offence as alleged. It is further submitted that petitioner has falsely been implicated in this case in order to humiliate, harass and demoralise the petitioner at the instance of petitioner's enemies. It is further submitted that petitioner is handicapped by leg and he moves very hardly and while he was returning from Mansurpur he was arrested by police. It is at last submitted that petitioner is ready to furnish sound bailors. The learned counsel prays to release the petitioner on

bail.

The learned Special Public Prosecutor opposed the prayer of learned counsel of petitioners.

Heard the parties and perused the record. The police in the instant matter recovered total 26.740gm ganja and 4.600gm smack from the right packet of petitioner. The quantity so recovered by police is small in nature. The petitioner is in custody since 16.10.2023 and he has no criminal antecedent against his name. The police has submitted charge sheet in the matter vide CS no. 376/2023, dated 30.11.2023.

Considering the facts, circumstances and period of custody already undergone by petitioner I am of the opinion that it is a fit case to admit the petitioner to regular bail and hence the bail application filed on his behalf is hereby allowed. It is, therefore, ordered that upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount the petitioner be admitted to regular bail. It is further directed that one of the bailor of petitioner must be his close relative.

Addl. Sessions Judge-I-
Cum- Special Judge NDPS
Vaishali at Hajipur.
22.01.2024