

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20923 of 2015

Arising Out of PS.Case No. -18 Year- 2014 Thana -BEGUSARAI GRP CASE District-
BEGUSARAI

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1. Md. Shamsul @ Md. Samsul. S/o Md. Kayum. R/o Village - Bara, P.S.-
Khodawandpur, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma

For the Opposite Party/s : Mr. Ashok Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 08-07-2015 Heard learned counsel for the petitioner. Despite
repeated calls, none appears on behalf of the State.

The petitioner seeks bail in connection with Barauni
Rail P.S. Case No. 18 of 2014 registered under sections 20 and 22
of the N.D.P.S. Act.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 26.09.2014 passed in
Cr.Misc. No. 34306 of 2014.

According to the prosecution case, altogether 8
Ativan tablets were recovered from the possession of the
petitioner.

It has been contended that by now the petitioner has
remained in custody for more than fifteen months. Ativan

(Lonazepam), an anti anxiety medicine is merely a white powder almost insoluble in water. Each Ativan tablet to be taken orally contains 0.5 mg., 1 mg. or 2 mg. Lonazepam. On the basis of the aforesaid submission, it has been contended that even if the allegations made in the FIR is taken on its face value, the recovery of Ativan tablets would involve small quantity for which the petitioner may be awarded maximum punishment of six months.

Regard being had to the facts and circumstances of the case, the petitioner Md. Shamsul @ Md. Samsul is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Begusarai in connection with NDPS Case No. 02 of 2014 arising out of Barauni Rail P.S. Case No. 18 of 2014.

(Ashwani Kumar Singh, J)

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