

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33038 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -DHAMDAHA District- PURNIA

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Md. Chunnu, Son of Maharum Hasamuddin, Resident of Ranpura, P.S.-
Mirganj, Distt- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. D. N.Tiwari, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-08-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is apprehending his arrest in connection with Dhamdaha P.S. Case No.62 of 2014 giving rise to Special Case No.8 of 2014 for allegedly having committed the offence under Sections 20/30 of the NDPS Act.

Learned counsel for the petitioner submits that though there is an allegation against the petitioner under the relevant provisions of the NDPS Act, a perusal of the seizure list with regard to the petitioner reveals that save and except that a few grams of polythene packets, which were empty and were alleged to be used in packing Ganja, there is no other recovery of any prohibited items under the said Act. Learned

counsel for the petitioner submits that the seizure of polythene packets could not tantamount to be an offence under the NDPS Act.

Considering the aforementioned facts and circumstances and that there is no recovery of psychotropic substance from the possession of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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/Special Judge, Purnea, in connection with Dhamdaha P.S. Case No.62 of 2014 giving rise to Special Case No.8 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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