

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41673 of 2015

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

Bhullu Sah @ Bhula Sah, S/o Late Rajendra Sah, resident of village-
Labagaon, P.S.-Gangaur, District-Khagria.

.... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Smt. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-09-2015

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has renewed his prayer for bail in
connection with Barauni Rail P.S. Case No. 18 of 2014
registered under Section 20 and 22 of the Narcotic Drugs and
Psychotropic Substances 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. 35543 of 2014.

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

It has been contended that Ativan (Lonazepam) an anti anxiety medicine is merely a white powder almost insoluble in water. Each Ativan tablet contains 0.5 mg, 1 mg. or 2 mg. Lonazepam.

It is further contended that even if the allegation made in the FIR are taken to be true 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 but he is in custody since 17 months.

Regard being had to the facts and circumstances of the case, the petitioner is directed to 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 1st Additional Sessions Judge-cum-Special Judge, Begusarai in connection with NDPS Case No. 2 of 2014 arising out of Barauni Rail P.S. Case No. 18 of 2014.

(Ashwani Kumar Singh, J.)

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