

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58152 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

=====

1. Amit Kumar Singh @ Chhotu Son of Ashoka Kumar Singh Resident of
Satyendra Nagar, Road No. 2, P.s and District Aurangabad Bihar.

.... Petitioner/s

Versus

1. The Union of India, Through Narcotics Central Bureau, Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Brahma Deo Prasad

For the Opposite Party/s : Mr. S.D.Sanjay (A.S.G)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 04-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 4.2.2015
in a case registered for the offences punishable under Sections 8
and 20 of the NDPS Act.

The Intelligence Officer of Narcotic Control Bureau,
Patna Zonal Unit seized 2.020 Kg Charas/Hashis from the
possession of the petitioner.

It is submitted by the learned counsel for the petitioner
that the seizurelist was not prepared on the spot rather it was
subsequently prepared in the office of the Narcotic Control
Bureau, Patna and the mandatory provisions under sections 50 and
52A of NDPS Act were not followed. More over, the sample was

not certified as per the provisions of the Act. The charges have still not been framed and above all, the petitioner has no criminal antecedent. Statement to that effect has been made in paragraph 3 of the petition.

Considering the recovery of commercial quantity of the contraband, this court is not inclined to grant bail to the petitioner in connection with Special Case no. 5 of 2015 pending in the court of learned Additional District and Sessions judge XI, Patna.

This application is, accordingly, dismissed.

(Dinesh Kumar Singh, J)

Anil/-

U			
---	--	--	--