

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35939 of 2016

Arising Out of PS.Case No. -195 Year- 2016 Thana -BAHADURPUR District- DARBHANGA

1. Murari Chaudhary S/o Dinesh Chaudhary Resident of village- Kabilpur,
P.S.- Bahadurpur, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-08-2016

Heard learned counsel for the petitioner and the State.

Petitioner is languishing in custody since 18.05.2016 in a case registered for the offences punishable under Sections 21(a) (b) and 22 (a) (b) of the Narcotics Drugs and Psychotropic Substances Act.

The prosecution case is that on secret information the hut of Subodh Singh was raided leading to recovery of 350 gm. ganja, 24 packet cigarettes filled with ganja weighing 200 gm. Subodh Singh on apprehension disclosed the name of the petitioner and co-accused Bhola Jha. From the Betel wooden shop of the petitioner 170 gm. ganja, two packet cigarettes filled with ganja, one Samsung Mobile and 12 empty tobacco containers were recovered. Though, it is mentioned in the seizure list that they were fill

with ganja, but neither the weight of the ganja filled in the cigarettes nor kept in the containers have been recorded in the seizure list or in the F.I.R. which reflects the casual manner in which the Narcotics Drugs and Psychotropic Substances cases are registered and investigated.

It is submitted by the learned counsel for the petitioner that recovery is much less than the small quantity. Though, the petitioner is accused in one other case registered under Excise Act, but he is on bail in the same. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the quantity of recovery, let the above named petitioner, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge (NDPS Act) Darbhanga in connection with Bahadurpur P.S. Case No. 195 of 2016.

(Dinesh Kumar Singh, J)

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