

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40623 of 2016

Arising Out of PS.Case No. -153 Year- 2016 Thana -DINARA District- SASARAM (ROHTAS)

1. Om Prakash Singh son of Late Shiv Janam Singh resident of Village:
Kund, P.S. : Dinara, District : Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-09-2016

The petitioner is languishing in custody since 06.07.2016 in a case registered for the offences punishable under Sections 20, 21, 23 of the Narcotic Drugs & Psychotropic Substances Act.

The prosecution case is that the informant being Sub-Inspector of Dinara Police Station during patrolling received information that trade of ganja is going on in the house of co-accused Kameshwar Seth but on the way one person was found carrying a bag on his shoulder when he was apprehended who disclosed his name as Om Prakash Singh(the petitioner). On search 500 gms of ganja was recovered.

It is submitted by learned counsel for the petitioner that the recovery is of small quantity. The procedure under Section 50 of the N.D.P.S Act has not been followed by the informant which clouds the very seizure.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Mr. J.N. Thakur, learned counsel for the State does not controvert the quantum of recovery.

Considering the small quantity of recovery, let the petitioner, above named, 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 learned Sessions Judge-cum-Special Judge, Rohtas at Sasaram in connection with Dinara P.S. Case No. 153 of 2016.

Shageer/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--