

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10009 of 2016

Arising Out of PS.Case No. -142 Year- 2015 Thana -MAIRWA District- SIWAN

Ram Darash Mallah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Adv.

For the Opposite Party/s : Mr. Sanjay Kr.Sharma(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 18.09.2015 in a case registered for the offences punishable under Sections 20 and 22 of the NDPS Act.

From the shop of the petitioner 2 kgs. of ganga like material were seized when 2.5 Kg of ganja, kept by the grand son of petitioner Mirtunjay Kumar in part of the shop were recovered.

It is submitted by learned counsel for the petitioner that from the FIR itself appears that the informant was not sure about the seized material to be Ganja and final form has been submitted without obtaining report from F.S.L. The petitioner is 85 years old. Though, he is accused in two other cases out of which one case is registered under the provisions of NDPS act, but in those cases he is on bail.

Considering the quantity of recovery between small and commercial one and investigation being concluded, let the above named petitioner be released on bail, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM, 1st Class, Siwan in connection with Mairwa P.S. Case No. 142 of 2015.

The leaned court below will be at liberty to cancel the bail bonds of the petitioner if he defaults for two consecutive occasions or substantially gets involved in similar nature of offence.

(Dinesh Kumar Singh, J)

Amrendra/-

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