

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21223 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Ramjee Patel, Son of Late Julum Mahto, Resident of village- Phul Mallick,
P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Indu Kumari Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 19-05-2016

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
29.02.2016 in a case registered for the offences punishable under
Sections 20 and 22 of the NDPS Act.

From the wooden shop of the petitioner 2 kg.
450 grams of Ganja, containing in 118 small sachets and 11 big
sachets, were recovered.

It is submitted by learned counsel for the
petitioner that there is nothing on the record to suggest that the
wooden shop belongs to the petitioner. A statement has been made
in paragraph 3 of the petition that the petitioner has no criminal
antecedent. Moreover, the recovery of contraband is between

small and commercial quantity.

It is submitted by learned counsel for the State that though the certified copy of the impugned order of learned Sessions Judge reflects that the quantity of recovery is 2 kgs. 450 grams but the typed copy of the certified copy was not correctly typed which suggests only 450 grams of Ganja.

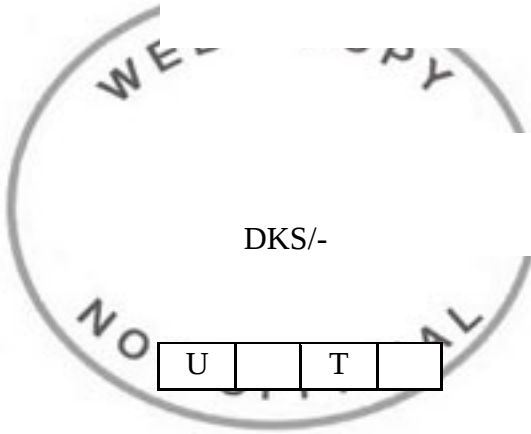
It is submitted by learned counsel for the petitioner that the petitioner filed supplementary affidavit to the effect that due to inadvertence certain words have been left to be typed.

Keeping in view of the fact that certified copy of the impugned order is on record there is no interpolation in the typed copy of the order.

Considering the nature of recovery coupled with the fact that the petitioner has no criminal antecedent, 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 Sessions Judge, Begusarai in connection with N.D.P.S. Case No. 01 of 2016 arising out of Sahebpur Kamal P.S. Case No. 29 of 2016.

The learned court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities i.e. if he

defaults for two consecutive occasions or substantially gets involved in similar nature of offence.



(Dinesh Kumar Singh, J)