

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57162 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -KOTWALI District- MUNGER

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1. Om Prakash Yadav S/o Kapildeo Yadav, R/o Village- Chandi Asthan,
P.S.- Kotwali, District- Munger.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 20(b)(ii)(B) of N.D.P.S. Act and 30(a) of Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that 5.50 Kg of Ganja
along with 180 ML of wine is said to have been recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 04.09.2017. The charge sheet has
been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. It is alleged
that 5.50 Kg of Ganja along with 180 Mililiters of liquor is
recovered. 5.50 Kg is below the commercial quantity under the



N.D.P.S. Act. There is no compliance of Section 100 of the Cr.P.C and no compliance of Section 42/43 of N.D.P.S. Act. The other co-accused has been granted bail vide Annexure-2 to the present application.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned Sessions Judge, Munger, in connection with Kotwali (Basudeopur) P.S. Case No.54A/2017.

(Sudhir Singh, J)

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