

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 39929 of 2016

Arising Out of PS.Case No. -574 Year- 2013 Thana -GOPALGANJ CITY District- GOPALGANJ

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Banti Kumar Soni @ Banti Soni S/o Ram Murat Sah R/o Shyam Cinema
Road, Ward No-17, P.S.- Gopalganj, Dist- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

7. 22-03-2017 Heard Sri Harendra Prasad, learned counsel for the
petitioner and Sri Ram Bilash Roy Raman, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody since
17-12-2013 in Gopalganj P.S. Case No. 574 of 2013,
corresponding to Tr. No. 25 of 2014 registered under Sections 18,
22 of the Narcotic Drugs & Psychotropic Substances Act, 1985
(for short “NDPS Act”), has prayed for grant of bail.

By way of referring to F.I.R., it was submitted by
learned counsel for the petitioner that petitioner was made
accused, as per information given by his own father and from
possession of the petitioner, lesser than smaller quantity of *Smack*
wrapped in two papers were recovered. By way of filing



supplementary affidavit, the quantity of recovered *Smack* has been mentioned, as total 9.4 mili gram. It was submitted by learned counsel for the petitioner that though, petitioner is in custody since 2013, till date, evidence has not commenced. The submission made by learned counsel for the petitioner that the recovered article was lesser than the smaller quantity was not disputed by learned counsel for the State.

In view of facts and circumstances i.e. period of custody and weight of seized article, there is no reason to further detain the petitioner.

Let the petitioner namely Banti Kumar Soni @ Banti Soni be enlarged 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 Addl. District & Sessions Judge – 1st, Gopalganj in connection with Tr. No. 25 of 2014, arising out of Gopalganj P.S. Case No. 574 of 2013.

(Rakesh Kumar, J.)

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