

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59366 of 2018

Arising Out of PS. Case No.-289 Year-2018 Thana- HAJIPUR District- Vaishali

Chulhai Rai S/o Ramji Rai, R/o Vill.- Bahrapur, P.S.- (Rustampur O.P.),
Raghopur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate.

For the Opposite Party/s : Smt. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in Town P.S. Case No. 289
of 2018 instituted for the offence under Section 414 of the
Indian Penal Code and Sections 8/20(b) (ii) (B) of N.D.P.S.
Act.

Counsel for the petitioner submits that petitioner is
in custody since 7.5.2018. Counsel for the petitioner further
submits that Police before preparing seizure list has not
complied the provision of Section 50 of N.D.P.S. Act. The
alleged Motorcycle which is mentioned in the seizure list
belongs to brother-in-law of son of the petitioner. Photocopy of
Registration paper of the Motorcycle has been enclosed as
Annexure-2.



The seizure list has been prepared by the Investigating Officer. From the seizure list it appears that 2 kg of *Ganja* has been recovered from possession of the petitioner. There is no mention that seizure was made in presence of any Gazetted Officer.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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 Additional Sessions Judge-1, Vaishali at Hajipur, Distt. Vaishali, in connection with Town P.S. Case No. 289 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

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(Sanjay Priya, J)

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