

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61368 of 2017

Arising Out of PS. Case No.-730 Year-2017 Thana- JAHANABAD District- Jehanabad

Pawan Kumar S/o Kedar Ram, R/o Village- Rashisha, P.S.- Augari (O.P. Pirbiga), District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. YOGENDRA KUMAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

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

The prosecution case, in short, is that total 2.256 kg of ganja and 150 ml wine are recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.10.2017 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that only 56 gram of ganja is recovered from the house of petitioner and 2.2 kg of ganja and 150 ml wine are recovered from the house of sister of the petitioner.



The recovery of ganja is below the commercial quantity as per the N.D.P.S. Act. There is no compliance of Section 100 Cr.P.C. and Section 42 of the N.D.P.S. Act.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, 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, Jehanabad in connection with N.D.P.S. case No.3 of 2017 arising out of Jehanabad P.S. case No.730 of 2017.

(Sudhir Singh, J)

Narendra/-

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