

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33040 of 2018

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Kamata Sharma Son of Late Chhotan Sharma Resident of Village -
Mataura, P.S. - Makhdumpur, District Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 18-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

8 ganja like trees and 1.3 Kg ganja like substance are
said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
with the seized article. The seized substance is not ganja and
nature of the said article is also not ascertained to the informant.



Aforesaid seized ganja like substance were neither sealed before the petitioner nor sent to FSL for its chemical examination. The house of the petitioner is inhabited by several family members of his family and he had no knowledge of keeping of the said article in the house. The petitioner is aged about 78 years old. He has no criminal antecedent. He has been languishing in custody since 04.01.2018.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned District and Sessions Judge cum Special Judge of N.D.P.S. Act, Jehanabad in connection with N.D.P.S. Case No. 03 of 2018.

(Prakash Chandra Jaiswal, J)

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