

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10933 of 2018

Arising Out of PS. Case No.-78 Year-2017 Thana- NATWAR District- Rohtas

Shobhnath Sah, Son of Sukhdev Sah, Resident of Village- Natwar, P.O.+P.S.-
Natwar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amish Kumar, Advocate
For the Opposite Party/s : Mr. N.N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2018 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 21/21 of the N.D.P.S. Act and Section 41(1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 10.5 kg of ganja is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.09.2017 and has got no criminal antecedent. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 10.5 kg of ganja is recovered from the house of the petitioner. Same is below than the commercial quantity. Hence, Section 37 of the N.D.P.S.



Act is not applicable in the present case. Further Sections 42 and 50 of the N.D.P.S. Act have not been complied with.

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

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 2nd Additional Sessions Judge-cum-Special Judge (Excise), Rohtas at Sasaram in connection with Natwar P.S. case No.78 of 2017.

(Sudhir Singh, J)

Narendra/-

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