

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5305 of 2019

Arising Out of PS. Case No.-116 Year-2018 Thana- KANHAULI District- Sitamarhi

Rambhu Sah, aged about 30 years (M), Son of- Ramekbal Sah@ Gokhul Sah,
Resident of G.B.C. Chowk, Ward No.10, Malaugawa P.S.-Malangawa
District-Sarbahi, Nepal

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 22.09.2018
in a case registered for the offences punishable under Sections 8
and 20(B) II/A of the N.D.P.S. Act.

The prosecution case, as per the written report of Assistant
Commandant of Army Forces, is to the effect that during
patrolling, two persons including the petitioner were
apprehended and from the possession of the petitioner, 2.5 Kgs
of ganja were recovered.

It is submitted by learned counsel for the petitioner that in
fact the petitioner has falsely been framed in the present case. A
statement has been made in paragraph no.3 of the petition that



the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from the petitioner.

Considering the recovery between small and commercial quantity and the fact that investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-special Judge (NDPS), Sitamarhi in connection with Kanhauli P.S. Case No. 116 of 2018.

Since the petitioner is the resident of Nepal, both the bailors will be the local persons, whose identity will be verified by the learned Court below before acceptance of bail bonds.

(Dinesh Kumar Singh, J)

Amrendra/-

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