

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15539 of 2019

Arising Out of PS. Case No.-215 Year-2018 Thana- TURKAULIYA District- East
Champaran

=====

AKHTAR ALAM, S/o-Late Md. Alam @ Alam Ansari, R/V- Mathwa @
Madhwa, P.S.- Turkoliya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 13-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **NDPS Case No.22 of 2018**
arising out of Turkoliya (Raghunathpur) P.S. Case No.215 of
2018 instituted for the offence under Section(s) 20, 22, 23, and
24 of the NDPS Act.

Counsel for the petitioner submits that Petitioner is in
custody since 18.04.2018 having clean antecedents. There is no
compliance of provision of Section 50 of the NDPS Act.

In the written report, it is alleged that three persons
came down from Tempo and two persons managed to run away.
The petitioner was arrested with bags. It is alleged that Ganja
was recovered from the bags. The informant has not mentioned



about the weight of the articles, which is alleged to have been recovered from the petitioner. In the seizure list, it is mentioned that all the three packets contained total 15 Kg. Ganja, which was seized from the bags.

Counsel for the petitioner submits that petitioner has no concern with aforesaid articles. He has been arrested merely on suspicion. Police has prepared seizure list without following provision of Section 50 of the NDPS Act.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let 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 the **7th Additional Sessions Judge, Motihari**, in connection with **NDPS Case No.22 of 2018 arising out of Turkoliya (Raghunathpur) P.S. Case No.215 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

U		T	
---	--	---	--

