

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19209 of 2019

Arising Out of PS. Case No.-569 Year-2017 Thana- ARA NAGAR District- Bhojpur

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LALBABU MALI Son of Jag Narayan Mali Resident of Village - Gausganj,
P.S.- Ara Nagar, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 14-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 21(b) of the N.D.P.S. Act.

The prosecution case in short is that 8 grams heroine
has been recovered in this case.

The earlier bail application of the petitioner has been
rejected vide Annexure-1 to the present application. It has been
submitted on behalf of the petitioner that the petitioner is in
custody since 6.11.2017. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has remained in
custody for a long period. 8 grams heroine is alleged to have
been recovered. The same is below the commercial quantity.



Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act also.

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

Report of the Trial Court indicates that cognizance has been taken on 6.7.2019. There is no chance of trial being concluded in near future.

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, Bhojpur at Ara in connection with N.D.P.S. Case No. 36/17 arising out of Ara Town P.S. Case No. 569/17.

(Sudhir Singh, J)

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