

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25381 of 2019

Arising Out of PS. Case No.-317 Year-2018 Thana- DALSINGHSARAI District- Samastipur

SUNIL KUMAR MAHTO Son of Valeshwar Mahto Resident of Village -
Pandh Purwaritola, ward No. 13, P.S.- Dalsinghsarai, Distt - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Narcotic Control Bureau, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harish Kumar, Advocate.
For the Union of India	:	Mr. Ramakant Sharma, Sr. Advocate.
For the Opposite Party/s	:	Mrs. Veena Rani Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-04-2019 Heard learned counsel for the petitioner, counsel for
the Union of India and the State.

The petitioner seeks bail in **Dalsingh Sarai P.S.**
Case No. 317 of 2018, instituted for the offence under
Section(s) 8, 20(1) and 25 of NDPS Act and Sections 30(a) and
41(1) of Bihar Prohibition and Excise Act.

It is alleged in the written report that 1 ½ Kg. of
Ganja has been recovered from the house of the petitioner. He
further submits that there is non compliance of Section 50 of
NDPS Act. The alleged *Ganja* has been recovered from
Chhajja of the house of the petitioner. It was not recovered
from conscious possession of the petitioner.

Petitioner is in custody since 30.10.2018.



Counsel for the Union of India has appeared and opposed the prayer for bail.

Considering the aforesaid 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Samastipur**, in connection with **Dalsingh Sarai P.S. Case No. 317 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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