

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27667 of 2019

Arising Out of PS. Case No.-690 Year-2018 Thana- PATRAKARNAGAR District- Patna

MD. PINKU Son of Rai Baksh @ Navi Baksh Resident of Mohalla -
Sultanganj, Dargah Road, P.S.- Sultanganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 20, 22 and 24 of the N.D.P.S. Act.

The prosecution case is that 220 grams of brown sugar
is recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 23.11.2018 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has been made
accused due to mistake of fact. 220 grams of brown sugar is
alleged to have been recovered. The same is below the
commercial quantity. Hence, 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.

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

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 Special Judge, N.D.P.S. Act-cum- Additional Sessions Judge -IV, Patna in connection with Special Case No. 135/2018 arising out of Patrakar Nagar P.S. Case No. 690/18.

(Sudhir Singh, J)

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