

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26763 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- MITHANPURA District- Muzaffarpur

SHIV NANDAN PASWAN, (Male), aged about 39 years, Son of Ram Prasad Paswan, Resident of Village - Dighra, P.S.,- Sadar, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vijay Kumar Singh, Advocate.
For the Opposite Party : Mr.Indra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 13.01.2019 in a case for the offence registered under Sections 414, 120(B)/34 of the IPC and 20 and 22 of N.D.P.S. Act.

The prosecution story, in brief, is that 25 Purias of Smack is said to have been recovered from possession of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. 25 Purias of Smack (quantity is not mentioned in



the seizure list) is said to have been recovered from possession of the petitioner. The recovered smack appears to be below the commercial quantity. There is no compliance of Sections 42 and 50 of N.D.P.S. Act.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 learned Sessions Judge, Muzaffarpur, in connection with Mithanpura P.S. Case No. 19 of 2019.

(Sudhir Singh, J)

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