

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37792 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- SAHAR District- Bhojpur

PANKAJ RAY @ PANKAJ RAI, aged about 36 years (Male), S/o Sardanand Ray, R/o village- Kotawa Narayanpur, P.S.- Narhi, District- Baliya (U.P.).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ravindra Kumar, Advocate.

For the Opposite Party : Mr.Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 21.01.2019 in a case for the offence registered under Sections 20 of the N.D.P.S. Act and 37(b) of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on 20.01.2019 at about 1.30 hours, on secret information, the informant and police party reached in Village-Guljarpur near the Hotel of Deepak Singh and caught hold this petitioner in drunken condition. On search, 45 Grams 800 MG of Brown Sugar was recovered from the 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. 45 Grams 800 MG of Brown Sugar is alleged to have been recovered from the possession of the petitioner. The said recovered Brown Sugar is below the commercial quantity. Hence, there is no application of Section 37 of the N.D.P.S. Act. 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 4th Additional District & Sessions Judge, Bhojpur at Ara, in connection with Excise Case No. 124 of 2019, arising out of Sahar P.S. Case No. 16/19.

(Sudhir Singh, J)

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