

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37104 of 2019

Arising Out of PS. Case No.-309 Year-2019 Thana- NAWADA District- Nawada

Narayan Prasad Son of Late Ramswaroop Ram Resident of Mohalla - New
Area, P.S.- Nawada (Town), District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Section
37© of the Bihar Excise and Prohibition (Amendment) Act,
2018 & Sections-20, 22 of the NDPS Act.

Allegedly, 50 gms Ganja was recovered from possession of
the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 18-03-2019. Charge sheet has
already been submitted. As per allegation, the petitioner was
found in drunken state. Further 50 gms Ganja is said to have
been recovered from his possession. Same is below the



commercial quantity. Hence Section 37 of the NDPS Act is not applicable in the present case. There is no compliance of Section 42 & 50 of NDPS Act.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/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 learned A.D.J.-II, Nawada in connection with Nawada Town P.S. Case No. 309 of 2019.

(Sudhir Singh, J)

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