

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41799 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- AWTARNAGAR District- Saran

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MOHAN RAI Son of Late Nirekhan Rai Resident of Village - Kothiya, Pran
Rai Ka Tola, P.S.- Awatar Nagar, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2019 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 of the N.D.P.S. Act and 25(1-b) and 26 of the Arms Act.

The prosecution case in short is that 500 gram ganja has been recovered from the petitioner as per F.I.R.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.2.2019 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. 500 gram ganja 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 1st Additional Sessions Judge -cum- Special Judge, N.D.P.S. Act, Saran at Chapra in connection with N.D.P.S. Case No. 03/2019 (Awatar Nagar P.S. Case No. 40 of 2019).

(Sudhir Singh, J)

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