

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75841 of 2018

Arising Out of PS. Case No.-558 Year-2017 Thana- BHABHUA District- Kaimur (Bhabua) *

Bullu Bind, Son of Sarjoo Bind, Resident of Village - Chandoruiyan, P.S.
Bhabhua, Distt.-Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Sri Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
11.09.2017 in a case registered for the offences punishable
under Sections 20(B)(ii)(b)/22/27(A) of the NDPS Act.

It is alleged that from the possession of the petitioner,
11.5 kgs of Ganja were recovered.

It is submitted by learned counsel for the petitioner
that the recovery of the contraband is between the small and
commercial quantity and the investigation has already been
concluded. A statement has been made in paragraph 3 of the
petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery to the extent
of 11.5 kgs of Ganja has been made from the petitioner.



Considering the fact that the recovery is between small and commercial quantity and hence, the embargo under Section 37 of the NDPS Act will not apply, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Kaimur at Bhabhua in connection with N.D.P.S. Case No. 15 of 2017, arising out of Bhabhua P.S. Case No. 558 of 2017.

(Dinesh Kumar Singh, J)

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