

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43728 of 2019

Arising Out of PS. Case No.-179 Year-2019 Thana- KOTWALI District- Patna

MANOJ CHAUHAN (Male), aged about 31 years, Son of Sri Ramdev,
Resident of Village- Manduli, P.S.- Lanka, District- Navgawan, Asam.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Anirudh Kumar Verma, Advocate.
For the Opposite Party : Mr.Sanjay Kumar Pandey,A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
02.03.2019 in a case for the offence registered under Sections
18(B), 22(c), 25 and 29 of N.D.P.S. Act.

The prosecution story, in brief, is that on 03.03.2019
during the course of search, the informant and others reached at
Laxmi Guest House and recovered total 48 Kgs. Ganja and
other articles alongwith five persons including Manoj Chauhan
(petitioner). It is further alleged that from the bag of this
petitioner, 09 Kgs. of Ganja and one Mobile was recovered.

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. 09 Kgs. of Ganja and one Mobile is alleged to have been recovered from the bag of this petitioner. 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 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/Special Judge, Patna, arising out of Special Case No. 30 of 2019, in connection with Kotwali P.S. Case No. 179 of 2019.

(Sudhir Singh, J)

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