

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48371 of 2019

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

Ashok Chauhan Son of Late Dhan Chauhan Resident of Village - Manduli,
P.S.- Lanka, Distt - Nawgaon,(Assam)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra Mishra

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Section
18(B)/22©/25/29 of the NDPS Act.

Allegedly, 12 kgs. 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 02-03-2019. Charge sheet has
already been submitted. 12 Kgs. of Ganja is said to have been
recovered from possession of the petitioner. 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. The other co-accused with similar allegation has been granted bail by this court vide order dated 16-07-2019 passed in Cr. Misc. No. 43728 of 2019.

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 Additional District & Sessions Judge-XX, Patna in connection with Special Case No. 30 of 2019 arising out of Kotwali P.S. Case No. 179 of 2019.

(Sudhir Singh, J)

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