

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54945 of 2019

Arising Out of PS. Case No.-173 Year-2018 Thana- BAHADURPUR District- Patna

Rahul Kumar @ Rahul Kumar Sahni Son of Late Naresh Sahni Resident of
Mohalla-Sandalpur, Police Station-Bahadurpur, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 8(C) & 21(a) of the NDPS Act.

Allegedly, 22 packets of smack was recovered in this case.

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 15-06-2019. Charge sheet has
already been submitted. The petitioner has been falsely
implicated in the present case. There is no recovery of narcotics
from possession of the petitioner. The name of the petitioner
surfaced in this case on the basis of disclosure made by the co-
accused. 22 packets of smack was recovered from possession of



co-accused Rajnish Kumar. 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 said Rajnish Kumar has been granted bail by a coordinate bench of this court vide Annexure 2 to this application.

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 Special Judge, NDPS Act-cum-District & Sessions Judge, Patna in connection with Special Case No. 67 of 2018 arising out of Bahadurpur P.S. Case No. 173 of 2018.

(Sudhir Singh, J)

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