

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56880 of 2019

Arising Out of PS. Case No.-296 Year-2019 Thana- ARA NAGAR District- Bhojpur

Arbind Kumar @ Arvind Kumar Son of Om Prakash Mahato @ Om Prakash Singh Resident of Village- Saraiyan, P.S. -Krishnagarh (Barhara), District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 414 of the Indian Penal Code and 21(a) of N.D.P.S. Act.

The allegation is that 1.1 gram of heroin is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 24.06.2019 and has got no
criminal antecedent. Charge sheet has been submitted in this
case. There is no allegation of tampering of witnesses alleged
against the petitioner. It is alleged that 1.1 gram of heroin is
recovered. Same is below the commercial quantity. Hence,
Section 37 of N.D.P.S. Act is not applicable in the present case.



There is no compliance of Sections 42 and 50 of N.D.P.S. Act.
The motorcycle in question is not a stolen property. The same
belongs to the co-accused.

On behalf of the State, it is 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 learned Sessions
Judge, Bhojpur at Ara in connection with N.D.P.S. case No.10
of 2019 arising out of Ara Town P.S. case No.296 of 2019.

(Sudhir Singh, J)

Narendra/-

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