

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57781 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- UJIYARPUR District- Samastipur

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UMA SHANKAR CHAURASIYA Son of Parmeshwar Chaurasiya Resident
of Village - Chand Chour Varai Tola, P.S.- Ujiarpur, Distt - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1

For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Utiarpur P.S. Case No. 81 of 2019 for the offences punishable
under Sections 8/20(b)(II)(B) of the NDPS Act.

The allegation is regarding recovery of 11.550 Kg. of
Ganja, which was kept in two gunny bags and local Chowkidar
has identified the petitioner as owner of the said Ganja.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case
inasmuch as the petitioner was neither apprehended from the
spot nor any recovery was made from his conscious possession
and merely upon being identified by the local chowkidar, the
police has falsely implicated him in the present case. It is further



submitted that the petitioner is having a clean antecedent and is languishing in custody since 15.07.2019.

It is apparent that the quantity of ganja recovered is below the commercial quantity as defined under the schedule to the NDPS Act, 1985.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Session Judge cum Special Judge, Samastipur in connection with Ujiarpur P.S. Case No. 81 of 2019.

(Mohit Kumar Shah, J)

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