

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 77879 of 2019

Arising Out of PS. Case No.-634 Year-2019 Thana- PHULWARISHARIF District- Patna

Kaushalendra Kumar Son of Late Bajrangi Singh Resident of B.M.P.-5, Cycle
Factory, P.S.- Hawai Adda, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neerad Parashar, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 20 and 22 of the NDPS Act.

Allegedly approximately 25 grams smack was
recovered in this case.

Learned counsel for the petitioner submits that there is
no allegation of tampering of witnesses alleged against the
petitioner. Petitioner is in custody since 01.07.2019. Twenty five
grams smack is said to have been recovered and the 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 Sections 42 and 50 of the NDPS Act. He further submits that
similarly situated co-accused has already been granted bail by a



coordinate Bench of this Court in Cr.Misc.No.63224 of 2019
vide order dated 05.11.2019.

In the facts and circumstances of the case, let the
petitioner above named be released on bail on furnishing bail
bond of Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned District & Sessions
Judge, Patna in connection with Phulwari Sharif P.S.Case
No.634 of 2019.

(Anjani Kumar Sharan, J)

B.Kr./-

U		T	
---	--	---	--

