

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68549 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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SUNIL KUMAR SINGH (M), age 35 years, Son of Late Ramdeo Prasad,
Singh Resident of Village- Maheshwara, P.S.- Naokothi, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Randhir Kumar No.1, Advocate.
For the Opposite Party : Mr.Ram Priya Sharan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 8/20(b)(ii)(c) and 25 of the N.D.P.S.
Act.

The prosecution story, in brief, is that on 10.04.2018
the informant received a secret information regarding keeping
Ganja in the house of Sunil Kumar Singh. On this information,
he along with other police personnels reached near the house of
Balmiki Singh, the uncle of the petitioner and found that
Balmiki Singh is selling Ganja with this petitioner. Then the
police reached Village-Maheshwara and surrounded the house
of Sunil Kumar Singh and made a query from Balmiki Singh



about the business of Ganja and this Balmiki Singh said that the petitioner Sunil Kumar Singh has brought Ganja in the morning and he is selling the same. On search, Ganja in heavy quantity kept in plastic packet in a room of the residential campus of the petitioner, for which petitioner has no valid paper. Coins, cash and apparatus of weight have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 18.07.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. 18 Kg. Ganja and other articles are said to have been recovered from possession of the petitioner. The same is below the commercial quantity. Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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 the learned Additional Sessions Judge-Ist-cum-Special Judge, N.D.P.S. Act, Begusarai, in connection with N.D.P.S. Case No. 5/2018, arising out of Naokothi P.S. Case No. 31/18.

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(Sudhir Singh, J)

