

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68514 of 2019

Arising Out of PS. Case No.-181 Year-2019 Thana- SONBERSA District- Sitamarhi

1. Sanjit Kumar, age about 38 years (M), Son of Harishankar Singh, Resident of Village - Ward No.3, Ramnagara, P.S.- Riga, Distt.- Sitamarhi.
2. Raj Kumar, age about 25 years (M), Son of Late Bhuplal Thakur, Resident of Village - Ward No.12, Ramnagara, P.S.- Riga, Distt.- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sanjay Kumar, Advocate.
For the Opposite Party : Mr.Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners seek bail in a case for the offence registered under Sections 8/20(b)(ii)(A) of N.D.P.S. Act.

The prosecution story, in brief, is that on 12.08.2019 the informant/Coy Commander, S.S.B., was on patrolling duty at Village-Indarwa on Indo-Nepal Border, two persons on Motorcycle were apprehended in India Territory and on search, 5 Kg. Ganja was recovered from their possession. Seizure list was prepared and both the accused persons were arrested.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since



14.08.2019. The petitioners have got no criminal antecedent. The petitioners have 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. 05 Kg., Ganja is said to have been recovered from possession of the petitioners. 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 in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Sitamarhi, in connection with Sonbarsa P.S. Case No. 181 of 2019.

(Sudhir Singh, J)

U.K./-

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

