

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1392 of 2020

Arising Out of PS. Case No.-164 Year-2019 Thana- GUTHANI District- Siwan

Nandji Ram, Son of Late Sukhraj Ram, Resident of Village-Guthni, P.S.-
Guthni, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-01-2020 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 15.10.2019 in connection with Guthani P.S. Case No.164 of 2019 registered for the offence under Sections 20(b)(II), C, 8(c), 21(c), 22(c) of the NDPS Act, 1985.

Learned counsel for the petitioner submits that it is alleged that the recoveries of about 127 grams and 360 milligrams of heroin were from a box at the south west rack of a room in which the petitioner was allegedly residing. It is further submitted that the alleged recoveries were not made in his presence and nothing can be said to have been recovered from his conscious possession. It is further submitted that the alleged samples have not been ascertained to be heroin and



the forensic report has not yet been received in this case. He further submits that the petitioner has no criminal antecedents.

Considering that the alleged recoveries purportedly stated to be heroin were less than the commercial quantity as stated in the Act, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Siwan, in connection with Guthani P.S. Case No.164 of 2019.

(Anjana Mishra, J)

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