

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11524 of 2020

Arising Out of PS. Case No.-158 Year-2019 Thana- PHULWARIA District- Begusarai

BINOD DAS S/o Harilal Das R/o village- Phulwaria- 01, Ward No. 03,
Dargah Road, P.S.- Phulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 8, 20(b)(ii)(B) of N.D.P.S. Act.

Prosecution case, in short, is that 800 gram opium is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 14.11.2019 and has got no
criminal antecedent. Charge sheet/prosecution report has been
submitted in this case. There is no allegation of tampering of
witnesses alleged against the petitioner. It is alleged that 800
gram opium is recovered. Same is below the commercial
quantity. Hence, Section 37 of the N.S.P.S. Act is not applicable
in the present case. There is no compliance of Sections 42 and



50 of N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that 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 learned District and Sessions Judge, Begusarai in connection with N.D.P.S. case No.31 of 2019 arising out of Phulwaria P.S. case No.158 of 2019.

(Sudhir Singh, J)

Narendra/-

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