

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26033 of 2020**

Arising Out of PS. Case No.-8 Year-2020 Thana- MAJORGANJ District- Sitamarhi

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RAM VINAY MAHTO @ VINAY KUMAR MAHTO Son of Tiryug Mahto
Resident of Village - Bhaluahiya, P.S. - Majorganj, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

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 the N.D.P.S. Act.

Prosecution case, in short, is that 4.200 kgs of ganja is
recovered.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 08.01.2020 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. It is alleged that 4.200 kgs of ganja is recovered. Same is below the commercial quantity. Hence 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 Sessions Judge-cum-Special Judge, N.D.P.S. Act, Sitamarhi in connection with Majorganj P.S. case No.08 of 2020.

(Sudhir Singh, J)

Narendra/-

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