

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22441 of 2020**

Arising Out of PS. Case No.-128 Year-2020 Thana- SUPAUL District- Supaul

DEVENDRA SAH S/o Chhedi Sah Resident of Kariho, Ward No.11, P.S. and  
Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      11-09-2020      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 defect(s), as pointed out by the office, within a period of  
four weeks from the date of lifting of the lockdown in the State  
of Bihar.

Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in a case registered under  
Sections 8/20(b)(II)B of the N.D.P.S. Act.

Allegedly, 7.138 kg. Ganja is said to have been recovered.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 22-02-2020. Charge sheet/Prosecution report in this case has already been submitted. 7.138 kgs. Ganja is recovered in this case. The quantity of Ganja is below the commercial quantity. Hence Section 37 of NDPS Act is not applicable in the present case. There is no compliance of Sections 42 & 50 of NDPS Act.

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

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Ist-cum-Special Judge, Supaul, in connection with Special Case No.03 of 2020 arising out of Supaul P.S. Case No. 128 of 2020.

**(Sudhir Singh, J)**

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