

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22450 of 2020

Arising Out of PS. Case No.-263 Year-2020 Thana- BIHTA District- Patna

SURAJ KUMAR Son of Mithilesh Prasad @ Mithilesh Prasad Singh
Resident of Vill. - Kanhauli, PS.- Bihta, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-09-2020 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 defects, 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 instituted for the
offences under Sections 8(c)/21(c)/25/29 of the N.D.P.S. Act.

Prosecution case, in short is that 105 grams of smack
is recovered.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.04.2020 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. It is alleged that 105 grams of smack is recovered. Same is below the commercial quantity. Hence Section 37 of N.D.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.

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 Special Judge, N.D.P.S., Patna in connection with Bihta P.S. case No.263 of 2020 (Special case No.54 of 2020).

(Sudhir Singh, J)

Narendra/-

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