

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27152 of 2020**

Arising Out of PS. Case No.-66 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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DINA KUMAR Son of Radhe Shyam Ram Resident of Village - Sijhua, P.S. -
Ramgarh, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr. Ram Chandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-10-2020 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)(c) and 27(A) of the N.D.P.S.
Act.

The prosecution case in short is that 16.5 kg. ganja has



been recovered in this case.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.05.2020 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. 16.5 kg. ganja is alleged to have been recovered from the possession of the petitioner. The 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, 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 Court of Sessions Judge-cum- Special Judge, Kaimur at Bhabua in connection with Bhagwanpur P.S. Case No. 66 of 2020.

(Sudhir Singh, J)

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