

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28177 of 2020

Arising Out of PS. Case No.-131 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

TUPHANI GOND Son of Late Balchand Gond Resident of Village -
Bhabhua, Ward No. 17, P.S.- Bhabhua, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Ganesh Pd. Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-11-2020 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
offence under Sections 18, 21, 21(B) and 27(A) of N.D.P.S. Act.

Prosecution case, in short, is that 3.850 grams of
Heroine is recovered.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 27.02.2020. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 3.850 grams of Heroine 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, Kaimur at Bhabhua in connection with N.D.P.S. case No.06 of 2020 arising out of Bhabhua P.S. case No.131 of 2020.

(Sudhir Singh, J)

Narendra/-

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