

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29724 of 2020

Arising Out of PS. Case No.-182 Year-2020 Thana- LAHERIYASARAI District- Darbhanga

MD. DAUD, aged about 27 years, Sex-Male, S/o Md. Kalim, Resident of
Mohalla-Khajasarai, P.S.-Laheriasarai, District-Darbhangha.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Manish Kumar No. 13, Advocate.
For the Opposite Party : Mr. Mritunjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-11-2020 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 after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 188, 269/34 of the I.P.C., 21 and 22
of the Narcotic Drugs and Psychotropic Substances Act.

The prosecution story, in brief, is that on 31.03.2020
at about 10. A.M., in the day, the informant and other police



officials apprehended the petitioner and other co-accused Md. Saddam and recovered *Spasmo Proxyvon Plus Tables*, *Pyeevon Spas Plus Tables*, 200 gms., of *Ganja*, *Mobile Cigarette* and other articles from the *Gumati* of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 01.04.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. 200 gms., of *Ganja*, allopathic medicines and other articles are said to have been recovered from the *Gumti* of the petitioner. The alleged recovered *Ganja* 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to 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 the learned



Special Judge-cum-Additional Sessions Judge-VI, Darbhanga,
in connection with Laheriasarai P.S. Case No. 182 of 2020
giving rise to G.O. Case No. 11 of 2020.

(Sudhir Singh, J)

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