

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25812 of 2020

Arising Out of PS. Case No.-132 Year-2020 Thana- PURNEA SADAR District- Purnia

GANESH KUMAR CHOUDHARY @ GANESH KUMAR CHOUDHERY
Son of Late Suresh Choudhery @ Suresh Choudhery Resident of Village -
Bairbanna, Purnea City, P.S.- Sadar and District - Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Diwakar Prasad Singh, Advocate
For the Opposite Party : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-10-2020 Heard Mr. Diwakar Prasad Singh, learned counsel
appearing on behalf of the petitioner and Mr. Ajay Kumar Jha,
learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of
Special Case No. 03 of 2020 corresponding to Sadar P.S. Case
No. 132 of 2020, registered for the offence punishable under
Sections 20/22 of N.D.P.S. Act.

4.570 Kg of ganza is said to have been recovered
from the petitioner's possession by the Officer In-Charge of the
concerned police station on 31.03.2020. The petitioner was
apprehended thereafter and since then he is in custody since
01.04.2020.

Learned counsel appearing on behalf of the petitioner
has argued that allegedly ganza was recovered from a bag. The



petitioner has a tea stall where someone had come to supply tea-leaves in a bi-cycle, but had left the place of occurrence on seeing the police, leaving behind the bag in question. He has submitted that the petitioner has no criminal antecedent and the amount of *ganza*, which has been recovered, is much below the commercial quantity.

Considering the above submission and the fact that the petitioner has no criminal antecedent, who is in custody since 01.04.2020, this application is allowed.

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 the learned Special Judge NDPS Act, Purnea, in Special Case No. 03 of 2020 corresponding to Sadar P.S. Case No. 132 of 2020.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be



communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

Pawan/-

U		T	
---	--	---	--

