

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29868 of 2020

Arising Out of PS. Case No.-77 Year-2020 Thana- DANAPUR District- Patna

MD. SONU @ MOHD. SONU Son of Late Md. Izhar Resident of
Village/Mohalla-Kachahari, Phulwari, Police Station-Phulwarisharif, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-11-2020 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
offences under Section 414 of I.P.C. and Sections 25(1-b)a, 26,
35 of the Arms Act and Sections 20, 22, 23, 24 of the N.D.P.S.
Act.



Prosecution case, in short, is that one loaded country made pistol with one live cartridge and 4.5 kgs of ganja are recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.01.2020. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. No arms is said to have been recovered from the possession of the petitioner. Arms is said to have been recovered from the co-accused. It is alleged that 4.5 kgs of ganja is said to have been recovered from the car in question. 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 Section 100 of Cr.P.C. and 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 XXIV, Patna in connection with Special case No.22 of 2020 arising out



of Danapur P.S. case No.77 of 2020.

(Sudhir Singh, J)

Narendra/-

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