

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29854 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- SONBERSA District- Sitamarhi

PUNIT SAH S/o Hardeo Sah R/o Vill.-Indrawa (Indarwa), P.S.-Sonbarsa,
Distt.-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr. Shantanu Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-11-2020 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 defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Section 414 of the Indian Penal Code and Sections 8/20(b)(ii)(B)
of NDPS Act, 2016.

The prosecution case, in short, is that 10 kg. of Ganja
is recovered.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 04-02-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 10 kg. of Ganja is said to have been recovered. The recovered Ganja is below the commercial quantity. Hence Section 37 of the NDPS Act is not applicable in the present case. There is no compliance of Sections 42 & 50 of the NDPS 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 of the case, 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 learned Special Judge, Sitamarhi, District-Sitamarhi in connection with Sonbersa P.S. Case No. 24 of 2020.

(Sudhir Singh, J)

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