

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29782 of 2020

Arising Out of PS. Case No.-68 Year-2020 Thana- RAMNAGAR District- West Champaran

LALAN SAH Son of Late Ram Chandra Sah Resident of Village-Ramjanaki Chowk, Purani Bazaar (Purani Bhatthi Tola), P.S.- Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-11-2020 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 Sections 20(b)(ii)(B) and 22(a) of the N.D.P.S. Act.

The prosecution case in short is that 2.350 kg of ganja



has been recovered in this case.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.04.2020 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. 2.350 kg ganja is alleged to have been recovered from the house of co-accused. The 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, it is directed that 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 learned Sessions Judge, West Champaran in connection with Ramnagar P.S. Case No. 68 of 2020.

(Sudhir Singh, J)

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