

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80079 of 2019

Arising Out of PS. Case No.-595 Year-2019 Thana- AGAMKUAN District- Patna

-
1. CHUNNU KUMAR Son of Sonu Ram Resident of Village - Mahatma Gandhi Nagar, Lagan Colony, P.S.- Agam Kuan, Dist.- Patna.
 2. Chhotu Kumar Son of Sonu Ram Resident of Village - Mahatma Gandhi Nagar, Lagan Colony, P.S.- Agam Kuan, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Nath Verma

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-01-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Agam Kuan PS case no. 595 of 2019 instituted for the offence punishable under Sections 20, 22, 24 of N.D.P.S. Act, 1985.

The allegation is regarding recovery of 100 grams of *ganja*, wrapped in small packets, from the trousers of the petitioners herein.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, they are having a clean antecedent and are languishing in



custody since 29.06.2019. It is further submitted that the statutory provisions required to be followed regarding the seizure made, has not been followed, hence the seizure stands vitiated. Lastly, it is submitted that in any view of the matter, the quantity of *ganja* seized from the petitioners are much below the small quantity defined in the Schedule to the N.D.P.S. Act, 1985, hence the petitioners are at least entitled to the privilege of regular bail.

Considering the quantity of *ganja* seized from the petitioners, which according to the Schedule to the N.D.P.S. Act, 1985, is much below the small quantity defined therein, as also taking into account the period of incarceration of the petitioners, I deem it fit and appropriate to direct for release of the petitioners on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned XXth Additional District & Sessions Judge, Patna in connection with Agam Kuan PS case no. 595 of 2019.

(Mohit Kumar Shah, J)

rinkee/-

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

