

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86750 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- DHOLBAJJA District- Bhagalpur

KAMAL SHARMA Son of Brahmdeo Sharma Resident of Village -
Laulagam, P.S.- Chausa, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Thakur

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Dholbajja (Kadwa) P.S. Case No. 55 of 2019 for the offence
punishable under Sections 8/20 (b) (ii) C/29 of the NDPS Act.

The allegation is regarding the police having
intercepted the accused persons and as far as the petitioner is
concerned, 4.5 kg ganja was recovered from his possession.

The learned counsel for the petitioner has submitted
that the petitioner has been falsely implicated in the present
case. It is further submitted that though the petitioner is an
accused in one other case, but he is on bail in the said case. The
petitioner is stated to be languishing in custody since
22.07.2019. Lastly, it is submitted that the quantity of ganja



recovered from the petitioner does not come in the category of commercial quantity as described in the schedule to the NDPS Act, 1985.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner coupled with the fact that the quantity of ganja recovered from the petitioner does not fall under the category of commercial quantity, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J.-6, Bhagalpur in connection with Dholbajja (Kadwa) P.S. Case No. 55 of 2019.

(Mohit Kumar Shah, J)

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