

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41960 of 2021

Arising Out of PS. Case No.-183 Year-2020 Thana- DAGARUA District- Purnia

BHIM PASWAN Son of Ashok Paswan Resident of Shanti Nagar, Ward No. 9, P.S.- Dalkola, District- Uttar Dinajpur (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Sinha
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 28-10-2021 Heard learned counsel for the petitioner and the State.
- Petitioner seeks regular bail in a case registered for the offence punishable under Section 8(c) and 21(b) of the NDPS Act.
- As per the prosecution case, 60 gram of Brown Sugar has been recovered from the possession of the petitioner.
- Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that mandatory provision with regard to search and seizure has not been followed and since the recovered quantity of narcotic substance is less than commercial quantity, rigours of Section 37 of the NDPS Act could not be attracted against this petitioner.



Petitioner claims clean antecedent and is in custody since 21.10.2020 and charge has already been framed in this case on 03.02.2021.

Learned counsel appearing for the State opposes the prayer for bail and submits that huge quantity of narcotic substance has been recovered from the possession of the petitioner.

Considering the facts of the case and the period of custody of the petitioner, 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 Sessions Judge-cum- Special Judge, NDPS Act, Purnea in connection with Dagarua PS case No.183/2020.

(Prabhat Kumar Singh, J)

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