

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47193 of 2021

Arising Out of PS. Case No.-425 Year-2021 Thana- FORBESGANJ District- Araria

MD. SAMSUL @ SAMSUL S/o Md. Anif Resident of Soth Rampur, P.S.-
Forbesganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in connection with Forbesganj P.S. Case No. 425 of 2021 corresponding to Special (NDPS) Case No. 20 of 2021 registered for the offence under Sections-30(a)/32(iii)/41(i) of the NDPS Act.

The prosecution case, in short, is that 160 gms. 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 has been falsely implicated in the



present case. It is alleged that 160 gms. Ganja is said to have been recovered from tea shop of the petitioner. The recovered ganja is below the commercial quantity. 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, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Araria in connection with Forbesganj P.S. Case No. 425 of 2021 corresponding to Special (NDPS) Case No. 20 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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