

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34763 of 2020

Arising Out of PS. Case No.-153 Year-2020 Thana- SIMRI District- Buxar

HULCHUL KAMKAR @ SANTOSH KAMKAR @ SANTOSH PRASAD,
aged about 32 years, Male, Son of Kailsah Kamkar, Resident of Village-
Balihar, P.S.- Simri, Distt- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shankar Kumar, Advocate.
For the Opposite Party : Mr. Nityanand Tiwari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 20(b)(ii)(c), 22, 25, 27(A) and 29 of
the Narcotic Drugs and Psychotropic Substances Act, 1985.

The prosecution story, in brief, is that on 29.05.2020
at about 11.00 O'clock, on receiving secret information, the
informant and others apprehended the petitioner and recovered
total 7.740 kgs., Ganja from possession of the petitioner.



It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 30.05.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Total 7.740 kgs., Ganja is said to have been recovered from possession of the petitioner. 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Court, N.D.P.S. Act, Buxar, in connection with N.D.P.S. Case No. 11 of 2020, arising out of Simri P.S. Case No. 153 of 2020.

(Sudhir Singh, J)

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