

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34723 of 2020

Arising Out of PS. Case No.-81 Year-2020 Thana- SIDHWALIYA District- Gopalganj

GOLU KUMAR S/o- Baliram Prasad @ Bali Rawat Resident of Village-
Padauli, P.S.- Nabiganj Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Gupta
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2021 Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of two weeks.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 399, 402, 411, 412, 414, 332, 333 and 307 of the Indian Penal Code and Sections 25(1-b)a/26/27 of the Arms Act as well as Sections 8(c), 20(b)(ii)(B) of NDPS Act.

Prosecution case in short is that on the basis of secret information, the informant with other police personnel surrounded the place of occurrence. One of the accused having seen the police personnel, took out the pistol but ultimately, the petitioner along with others was arrested. Incriminating articles



are said to have been recovered from the arrested persons.

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 is in custody since 16-05-2020. Charge sheet has already been submitted. 1.400 kg Ganja is said to have been recovered from possession of co-accused. The same is below the commercial quantity. Hence Section 37 of the NDPS Act is not applicable in this case. There is no compliance of Sections 42 & 50 of NDPS Act. .

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Ist, Gopalganj in connection with Sidhwaliya P.S. Case No. 81 of 2020.

(Sudhir Singh, J)

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