

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37781 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- KARPI District- Jehanabad

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CHANDAN KUMAR @ CHANDAN SHARMA, Male, aged about 32 years,
S/O Mithilesh Sharma, R/o Karpi, P.S. Karpi, District - Arwal.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Patanjali Rishi, Advocate.

For the Opposite Party : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2021 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 8, 20(b)(ii)(B) and 22 of the Narcotic

Drugs and Psychotropic Substances Act, 1985.

The prosecution story, in brief, is that on 11.03.2020,

the informant received an information from Bihar Narcotics

Control Room that in Karpi Bazar in a General Store, this

petitioner is selling the Ganja. Upon that information, the

informant and other police personnel reached that place and



surrounded the General Store, where one person fled away after seeing the police party. But in presence of witnesses, the General Store of the petitioner was raided and recovered 1.8 kgs., or 1 kg 800 gms., Ganja.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 31.05.2020. The petitioner has got no criminal antecedent. 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. It is alleged that 1.8 kgs., or 1 kg 800 gms Ganja is said to have been recovered from the shop 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, Jehanabad, in



connection with N.D.P.S. Case No. 05 of 2020, arising out of
Karpi P.S. Case No. 46 of 2020.

(Sudhir Singh, J)

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