

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39598 of 2020**

Arising Out of PS. Case No.-313 Year-2020 Thana- NAWANAGAR District- Buxar

MUNNA SAH S/o Late Virendra Sah R/o Village- Sonvarsha, P.S.-
Nawanagar (Sonbarsa), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr Arun Kumar Pandey, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 04-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Nawanagar (Sonbarsa
Outpost) Police Station (for brevity *PS*) Case No 313 of 2020
instituted for the offence punishable under Sections 20 (ii) (c),
22 (b) of Narcotic Drugs and Psychotropic Substances Act (for
brevity, *NDPS* Act), 1985.

The prosecution alleges recovery of 20 sachets (19
grams) of heroin like intoxicating substance from the petitioner.

It is submitted by the petitioner's counsel that it is a
case of false implication. There is no compliance of mandatory
provisions of the NDPS Act and the petitioner is in custody
since 07.09.2020.



The learned APP for the State has submitted that the recovery from the petitioner, as per the investigation, is more than *small quantity*.

Having regard to the submissions advanced by the parties, this Court, for the present, is not inclined to grant bail to the petitioner. Prayer is rejected.

(Madhuresh Prasad, J)

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