

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63418 of 2021

Arising Out of PS. Case No.-135 Year-2017 Thana- BUXAR INDUSTRIAL District- Buxar

ANAND SHARMA S/O RAMESH KUMAR SHARMA Permenent R/o village- Misrawalia Badka Gaon, P.S.- Buxar (Industrial), District- Buxar, at present residing at 99/4, Vijay Nagar, Hansh Nagar, Kanpur City, P.S.- Kanpur City, District- Kanpur (Uttar Pradesh)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bandana Singh

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioner is apprehending his arrest in a case registered under Sections 20(b)(ii)(c), 22, 27(A) and 29 of the N.D.P.S. Act.

The prosecution allegation, in short, is that 2.5 kg 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 falsely been implicated in the present case. 2.5 kg ganja is alleged to have been recovered from the car in question. The petitioner happens to be son of the owner of the car. The recovered contraband 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 & 50 of 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, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District Judge-cum- Special Judge, NDPS Act, Buxar in connection with Buxar (Industrial) P.S. Case No. 135 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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