

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5774 of 2022**

Arising Out of PS. Case No.-241 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Rohit Kumar Son Of Pawan Ray @ Pawan Kumar Ray R/O Mohalla-
Golaghat Gadhiya, P.S.- Tatarpur, District- Bhagalpur (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar 1

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 05-04-2022 Heard both parties.

The petitioner seeks bail in Kotwali (Jogsar) P.S. Case No. 241 of 2021 corresponding to NDPS Case No. 24 of 2021, registered for the offence punishable under Sections 20/22 of the Narcotic Drugs and Psychotropic Substances Act.

As per the prosecution case, 0.860 miligrams of Brown Sugar has been recovered from possession of this petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from conscious possession of this petitioner. The recovered narcotic substance is of small quantity, as such rigorous of Section 37 of the NDPS Act, would not be attracted. Mandatory provision of search and seizure has not been



followed and petitioner is in custody since 06.04.2021.
Investigation is complete.

Considering the period of custody and the fact that small quantity of narcotic substance has been recovered from possession of petitioner, he is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I, Bhagalpur in connection with Kotwali (Jogsar) P.S. Case No. 241 of 2021 corresponding to NDPS Case No. 24 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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