

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49191 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- SIWAIPATTI District- Muzaffarpur

RAJESH KUMAR Son of Bagindra Rai Resident of Village - Bariyarpur,
P.S.- Tariyani, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the office within a period
of four weeks.

The petitioner seeks bail in a case registered under
Sections-8/20/22 of the N.D.P.S. Act.

Prosecution case in short is that 500 gm. Charas is
recovered from the petitioner.

It has been submitted that there is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 16-02-2022. Charge sheet has
already been submitted in this case. 500 gm. Charas is said to
have been recovered from possession of the petitioner. The



alleged recovery is below the commercial quantity. Hence, Section-37 is not applicable in the present case. There is no compliance of Sections- 42 & 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ist, Muzaffarpur in connection with N.D.P.S. Case No. 78 of 2022 arising out of Siwaipatti P.S. Case No. 22 of 2022.

(Sudhir Singh, J)

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