

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49657 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- BANMANKHI District- Purnia

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GULSHAN KUMAR son of Manoj Yadav Resident of Village - Mangalchand
Chowk, Tamtam Stand Ward NO. 10, P.S. banmankhi, District - Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Anand Kishore Sinha

For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2022 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-08(c)/21(b) of the N.D.P.S. Act.

Prosecution case in short is that 12.670 gm. heroine is
recovered from the co-accused.

It has been submitted that there is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 22-05-2022. Charge sheet has
already been submitted in this case. As per the allegation,
12.670 gm. heroine is said to have been recovered. 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 & 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 Special Judge, NDPS Act, Purnea in connection with Special Case No. 27 of 2022, CIS No. 27 of 2022(NDPS Act) arising out of Banmankhi P.S. Case No. 160 of 2022.

(Sudhir Singh, J)

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