

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52874 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- BIHIA District- Bhojpur

1. Dhanjiv Kumar Son Of Siyaram Chaudhary R/O Village - Kurwatola, P.S.-
Udawan Nagar, (GAJRJGANJ O.P.), District- Bhojpur
2. Mukesh Kumar Son Of Gaya Prasad R/O Village - Kurwatola, P.S.-
Udawan Nagar, (GAJRJGANJ O.P.), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N. A. Shamsi, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

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

The petitioners seek bail in a case registered under
Sections 20(b), 11(b), 22 and 29 of the N.D.P.S. Act.

Prosecution case, in short, is that 7 kgs ganja is
recovered from the bag of petitioner No.1 and 9 kgs ganja is
recovered from the bag of petitioner No.2.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 13.03.2022 and have got no



criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that 7 kgs ganja is recovered from the bag of petitioner No.1 and 9 kgs ganja is recovered from the bag of petitioner No.2. Same are 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 and 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, is directed be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhojpur at Ara in connection with Bihiyan P.S. case No.88 of 2022 (N.D.P.S. (S.L.) 19 of 2022).

(Sudhir Singh, J)

Narendra/-

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