

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2027 of 2023

Arising Out of PS. Case No.-116 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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PAVITRO BAGH SON OF ANAND BAG, R/O VILLAGE- KALAHANDI
COLONY, P.S.- DAMUNJORI, DISTRICT- KORAPUT (ORISSA).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Mr.Pranav Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 11-05-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Nawada (Excise) P.S. Case No. 116 of 2022,
registered for the offences punishable under Sections 8 and
20(ii) of N.D.P.S. Act.

As per allegation, the allegation against the petitioner
is that 10 kg of *Ganja* has been recovered from his possession.

The learned counsel for the petitioner has submitted
that the petitioner is under custody for a period of one year and
he is a person of clean antecedent. He has submitted further that
there is no compliance of Section 50 of the N.D.P.S. Act and
the consent of the petitioner has not been taken whether he was



willing to be searched in presence of a Gazetted Officer or a Magistrate ? He has also submitted that the alleged contraband is less than commercial quantity.

Considering the above-mentioned facts and circumstances as well as the period of incarceration, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J.-I, Nawada in connection with Nawada (Excise) P.S. Case No. 116 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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