

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63420 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- ANGARH District- Purnia

Amal Kumar Yadav, S/o- Dhani Lal Yadav, R/o Village- Durgapur, PS- Routa,
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case instituted for the
offences under Sections 8 and 20(b)(ii)(B) of the N.D.P.S. Act.

3. The prosecution case, in short, is that 1 Kg. 50
gram *ganja* is said to have been recovered from a motorcycle in
which the petitioner and one another were riding.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 08.07.2023 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has falsely been
implicated in the present case. It is alleged that 1 Kg. 50 gram
ganja is said to have been recovered from the person, who was



sitting on the motorcycle. Same is below the commercial quantity. 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.

5. On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

6. Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below/court concerned in connection with Angarh P.S. Case No. 26 of 2023.

(Sudhir Singh, J)

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