

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6892 of 2024

Arising Out of PS. Case No.-1414 Year-2023 Thana- DANAPUR District- Patna

Chintu Kumar S/O- Manager Rai R/O- Village- Hatanpur, P.S.- Shahpur,
Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Case No. 237 of 2023 arising out of Danapur P.S. Case No.
1414 of 2023 instituted for the offences under Sections 8, 8(c),
20(b)(ii)A, 21(a) of the N.D.P.S. Act.

3. As per prosecution case, the police, on receipt of
secret information, reached at the Gumti near Tata Motors and
saw one differently abled persons sitting in the same who
disclosed his name as Chintu Kumar/the present petitioner. On
search, 54 sachets containing 23.640 grams of brown sugar and
81 sachets containing 141.37 grams of Ganja were recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing incriminating has been recovered from the



conscious physical possession of the petitioner rather the same was recovered from the Gumti. The quantity of Ganja and the brown sugar recovered is less than 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 Section 42 and 50 of the N.D.P.S. Act. The petitioner has no criminal antecedent and is languishing in judicial custody since 03.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Special Case No. 237 of 2023 arising out of Danapur P.S. Case No. 1414 of 2023.

(Rudra Prakash Mishra, J)

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