

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28559 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- SALIMPUR District- Patna

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SANJAY RAI SON OF SAKAL DEV RAY RESIDENT OF MOHALLA -
SAIDPUR TOLA, POLICE STATION - SALIMPUR, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha
For the Opposite Party/s : Mr.Sangeeta Sharma

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Salimpur P.S. Case No. 10 of 2024 instituted for the offences
punishable under Sections 8, 20(B)(ii)(A) of the N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
110.71 Gm of Ganja from the possession of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. Petitioner has no
concern with the alleged recovery. The recovered contraband is
below the commercial quantity. Hence Section 37 of the
N.D.P.S. Act is not applicable in this present case. The petitioner



is in custody since 20.01.2024 and has one criminal antecedent in which he is on bail. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being below the commercial quantity as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Salimpur P.S. Case No. 10 of 2024.

(Rudra Prakash Mishra, J)

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