

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B. A. No. 7756 of 2020

Md. Jamal

... .. Petitioner

Versus

Union of India through Narcotics Control Bureau, Ranchi

... .. Opposite Party

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Pankaj Kumar, Advocate

For the Opposite Party : Mr. Rajiv Sinha, ASGI

8/24.06.2021 Heard the parties.

The petitioner is an accused in connection with NCB Case No. 4 of 2020.

At the outset, Mr. Rajiv Sinha, learned ASGI has referred to the supplementary affidavit filed by him consequent to the order dated 04.02.2021 in which a point has been raised by the learned senior counsel for the petitioner that the seized article is not a prohibited material and as such N.D.P.S. Act is not applicable. Referring to the supplementary affidavit, Mr. Sinha submits that the report of CFSL clearly indicates that the substance which was recovered was tested positive for Opium and therefore the same comes within the ambit of N.D.P.S. Act. The supplementary affidavit therefore, answers the query raised by the learned senior counsel for the petitioner as indicated in the order dated 04.02.2021.

So far as the allegations in the present case is concerned, it appears that NCB officials had intercepted a Maruti Alto 800 car and five persons including the petitioner were apprehended. From the dickey of the car 2.75 kg. of opium was recovered. The petitioner does not have any criminal antecedent and it appears that he is in custody since 25.06.2020.

On consideration of the aforesaid facts, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned Sessions Judge cum Special Judge, N.D.P.S., Hazaribagh in connection with NCB Case No. 4 of 2020.

(Rongon Mukhopadhyay, J)