

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16600 of 2015

Arising Out of PS.Case No. -22 Year- 2014 Thana -KATIHAR GRP CASE District- KATIHAR

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1. Raju Modak Son of Basanto Modak Resident of College Para, P.S. Falakata, District - Jalpaiguri (W.B.)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowar

For the Opposite Party/s : Mr. Kr. Virendra Narayan(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-06-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Kishanganj Rail P.S. Case No. 22 of 2014 for the offences instituted under sections 20, 22 and 8 of the N.D.P.S. Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence the informant, namely, Alok Prasad Singh, SHO, GRPS, Kishanganj got an information on telephone that two unknown persons have kept cannabis Ganja in their bag and they are sitting at the railway plat form. When the police party reached on platform no. 2, the said unknown person tried to flee away but he was arrested and on search 7 Kg. of Ganja was recovered from his possession.

It has been submitted on behalf of the petitioner that the petitioner has been falsely implicated in the present case. Further it has been submitted that the procedure of seizure has not been followed in the present case. The petitioner has got no criminal antecedent and he is in custody since 19.10. 2014.

On behalf of the State it has been submitted that seven Kg. of Ganja is alleged to have been recovered from possession of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the Additional Sessions Judge Ist, Katihar in connection with Kishanganj Rail P. S. Case No. 22 of 2014, giving rise to G.R. No. 80 of 2014.

(Sudhir Singh, J)

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