

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32717 of 2015

Arising Out of PS.Case No. -60 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

1. Kishore Yadav Son of Ballu Yadav, Resident of Fadan Pakhar Road, Jhajhipara, P.S. - Raiganj, District - Jalpaiguri (W.B.) At present residing at village - Routara (Durga Mandir Naya Tola) P.S. - Routara, District - Katihar.

..... Petitioner/s
Versus

1. The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh
For the Opposite Party/s : Mr. Akbar Ali(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-11-2015 Heard learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in Majhaulia P.S. Case No. 60 of 2015 registered for the offences punishable under section 414 of the Indian Penal Code and sections 20 , 22, 24, 27(A) and 29 of the N.D.P.S. Act, pending in the court of learned Sessions Judge, West Champaran, Bettiah.

Allegedly during the patrolling duty the petitioner was apprehended and from his possession 1 kg Charas and cash of Rs. 36,700/-, voter I.D and pass book were recovered.

Submission is of false implication and that

search and seizure have not been made properly and the recovered articles have not been produced before the court. As a matter of fact nothing has been recovered from the conscious possession of the petitioner and he has been suffering in custody since 11.2.2015 and as such he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by pointing out the alleged recovery of charas.

In the facts and circumstances of the case and considering the alleged recovery, this court is not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Jitendra Mohan Sharma, J)

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