

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33635 of 2014

Arising Out of PS.Case No. -369 Year- 2014 Thana -GAYA KOTWALI District- GAYA

Birendra Ram @ Tukki @ Tukhi son of late Ram Chander Ram R/o
Mohalla- Bavagi More, Murli Hill, Station Road, P.S.- Kotwali, District-
Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 13-01-2015 Heard learned counsel for the petitioner and learned
counsel, appearing for the State.

Allegedly, 110 Puriyas of heroine were recovered from conscious possession of the petitioner but it is surprising enough that the measurement of the seized Puriyas was not done nor the seized Puriyas were sealed in accordance with law. Although the sample of seized material is said to have been sent to Forensic Science Laboratory but the said sample was sent to the Forensic Science Laboratory after two months of registration of the case and moreover, it is not clear from the case diary as to after recovery and before sending of sample where the seized material had been kept.

Considering the aforesaid facts and circumstances of the case as well as this aspect of the matter that the petitioner does

not have any criminal antecedent and it is not clear as to how much, heroine has been recovered from possession of the petitioner, I direct the petitioner to be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No. 369 of 2014 to the satisfaction of Sessions Judge, Gaya.

(Hemant Kumar Srivastava, J)

A.K.V./-

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