

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47292 of 2015

Arising Out of PS.Case No. -842 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

1. Shabir Noor Mohammad S/o Noor Mohammad, resident of Mohalla -
Gandhi Nagar, Ward No. 39, P.S. Baddi Nagar, District – Mansaur
(Madhya Pradesh)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party/s : Mr. Nityanand(APP)

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 16-10-2015

This is an application, made under Section 439 of the
Code of Criminal Procedure, seeking bail for the accused-petitioner,
namely, Shabir Noor Mohammad, in connection with Sasaram
(Town) Police Station Case No. 842 of 2015, under Section 414 of the
Indian Penal Code and Sections 21/22/24 of the Narcotic Drugs and
Psychotropic Substance Act, 1985.

Perused the above application and materials on record.

Heard Mr. Bhaskar Shankar, learned Counsel for the
petitioner, and Mr. Nityanand, learned Additional Public Prosecutor,
appearing on behalf of the State.

In view of the fact that the accused above-named has
been in custody since 28.07.2015 in connection with the case
aforementioned and no recovery of any narcotic drugs was made from

the possession of the petitioner, 58 grams Heroine like substance has been recovered from the possession of co-accused, Yasin, and co-accused Deepak Kumar, who was also arrested, but from whose possession, no recovery of narcotic drugs had been made, has been allowed bail by the learned Sessions Judge, I/C. Rohtas, perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Sessions Judge, Rohtas at Sasaram, in connection with Sasaram (Town) Police Station Case No. 842 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application shall stand disposed of.

(I.A. Ansari, ACJ.)

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