

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34286 of 2014

Arising Out of PS.Case No. -191 Year- 2002 Thana -SITAMARHI District- SITAMARHI

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Ram Punit Narayan Ram @ Ram Punit Ram, Son of Late Ram Thacan
Ram, Resident of Mohalla - Kathalbari, P.S. - Vishwavidalaya, Distt. -
Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar, Advocate.

For the Opposite Party : Mrs. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-04-2015 Heard both sides.

The petitioner seeks bail in Sitamarhi P.S. Case No. 191 of
2002, registered for the offences punishable under Sections 20, 22 and
23 of the Narcotic Drugs and Psychotropic Substances Act.

The police raided the house of Mathura Singh and from the
room of the petitioner 30 kg Ganja and other articles were recovered
from the different rooms. The informant alleged that the petitioner and
other accused persons who are the constable and other officials of the
Excise Department had kept the seized articles for selling the same.

Learned counsel for the petitioner submits that the
petitioner was not apprehended on the spot. The petitioner is a
constable of Excise Department.

From perusal of Annexure-4, the Excise Commissioner
wrote a letter to the District Magistrate, Sitamarhi stating therein that

the house of Mathura Singh was used as a Malkhana and the petitioner being a constable was also residing in one of the rooms of the rented house. The Excise Superintendent also reported this fact. The collector, Sitamarhi vide Annexure-5 reported about the using of different Malkhana of the Excise Department in different places and some variations was found from the register with the seized articles and the articles found inside the Malkhana.

It appears that the petitioner was a constable and he was residing in the house of Mathura Singh in which Malkhana was also there.

Considering the facts aforesaid and the fact that the petitioner is in jail since 11.07.2014, the petitioner above named is directed to be enlarged 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 learned Special Judge, Sitamarhi in connection with Sitamarhi P.S. Case No. 191 of 2002.

The office is directed to send the connected records to the court below.

(Prabhat Kumar Jha, J.)

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