

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54739 of 2015

Arising Out of PS.Case No. -213 Year- 2015 Thana -MASRAKH District- SARAN

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Sonu Kumar Srivastava

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mallika Mazumdar

For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-12-2015

Though, this Court has the roster of anticipatory bail application, but the present regular bail application has been listed before this Court under the orders of Hon'ble the Acting Chief Justice.

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 24.07.2015 in a case registered for the offences punishable under Sections 19 and 20 of the NDPS Act.

The prosecution case is that police party raided the house of co-accused Kuldeep Rai when two persons started fleeing away from scene who were apprehended when they disclosed their name as Kuldeep Rai and petitioner Sonu Kumar Srivastawa. On search of the house of Kuldeep Rai, 120 sachets and 35 sachets of ganja in two plastic bags were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been apprehended only on suspicion, though, the FIR suggests that the seizure was made after the raid of the house of co-accused Kuldeep but the seizure list suggest that it was recovered from the cow-shed hutment from the back of the house of Kuldeep Rai. It is further submitted that seizure list does not reflects the signature of the petitioner. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Mr. J.N. Thakur, learned A.P.P. admits that recovery was made from the co-accused Kuldeep Rai.

Considering the aforesaid facts, let the above named petitioner be released on bail, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Saran in connection with Mashrak P.S. Case No. 213 of 2015.

(Dinesh Kumar Singh, J)

Amrendra/-

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