

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30207 of 2015

Arising Out of PS.Case No. -74 Year- 2015 Thana -PURNEA SADAR District- PURNIA

Abdul Rashid @ Pakka, s/o Late Kalam Ali, Resident of Village- Duania,
P.S.- Sadar, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. R.P.S Singh (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 27-10-2015 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Special Case No.1 of 2015 arising out of Sadar (Muffasil) P.S. Case No.74 of 2015 for allegedly having committed the offence punishable under Sections 15, 18 and 46 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the allegation against the petitioner is that in the middle of maize crops, the petitioner had planted opium plants and cultivate them and fruits were ready with the said plants. Learned counsel further submits that the aforementioned land though belonging to the petitioner had been leased to one Rahim

Sheikh for two years and, therefore, the petitioner has no role to play in the said cultivation of opium plants. It is further submitted that the lease agreement clearly shows that during the aforementioned period the land in question was leased to another person.

Considering the aforementioned facts and circumstances and that the petitioner is a respectable man of the village and has no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released 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 Sessions Judge, Purnia, in connection with Special Case No.1 of 2015 arising out of Sadar (Muffasil) P.S. Case No.74 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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