

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51820 of 2014

Arising Out of PS.Case No. -15 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

- =====
1. Haji Kayyum @ Kayyum son of Haji Mujib resident of village Tikra Usma P.S. Jaidpur Dist. Barabanki (U.P.)
 2. Haji Mujib Pinda @ Md. Mujib son of Haji Mujib resident of village Tikra Usma P.S. Jaidpur Dist. Barabanki (U.P.)
 3. Md. Siraj son of Mubin resident of village Tikra Usma P.S. Jaidpur Dist. Barabanki (U.P.).... Petitioner/s

Versus

The Union of India through the Director, Directorate of Revenue Intelligence, Regional Unit, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Arshad Alam, Advocate
Mr. F.A. Ahmad, Advocate
Ms, Anjum Perveen, Advocate

For the Opposite Party/s Mr. Manoj Kr Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 05.01.2015 Heard learned counsel for the petitioners as well as learned
counsel for the Union of India.

Petitioners apprehend their arrest in connection with Special
case no. 15/2014 registered under sections 21 (C), 27 (A) and 29 of
the NDPS Act pending in the court of Addl. Sessions Judge VII- cum-
Special Judge, NDPS, Patna.

Admittedly, neither petitioners were caught at the spot nor
anything was recovered either from their possession or from their
houses. The names of these petitioners came in the confessional
statement of co-accused who stated before the officials that the
petitioners were also partners of gang which had supplied contraband
articles to him. In follow up action, houses of the petitioners were
searched but the concerned officials could not succeed to recover any

incriminating article against these petitioners. Furthermore, notices were issued to the petitioners who responded in writing to the above stated notices and therefore, it is apparent that petitioners did not avoid the notices issued by the concerned officials.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge VII- cum- Special Judge, NDPS, Patna in Special case no. 15/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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