

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40481 of 2015

Arising Out of PS.Case No. -81 Year- 2014 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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1. Kedar Mukhiya Son of Late Nagina Mukhiya, Resident of Kalyanpur
Khal, P.S. - Kotwa, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Shailendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-09-2015 Heard both sides.

The petitioner seeks bail in a case under Section
414/34 of the Indian Penal Code and section 20, 22, 23 of
N.D.P.S. Act.

The police apprehended six persons, Dukhan
Mukhiya, Bihari Mukhiya, Ash Narayan Mukhiya, Rambali
Mukhiya, Khedu Mukhiya and Kedar Mukhiya, the petitioner.
From the possession of Dukhan Mukhiya, Bihari Mukhiya, Ash
Narayan Mukhiya and Rambali Mukhiya huge quantity of Charas
was recovered. From the possession of Khedu Mukhiya one
mobile and diary were recovered. From the possession of
petitioner one mobile was recovered. The petitioner was going on

a motor cycle but he started fleeing away leaving the motor cycle on the spot and he was apprehended.

It is submitted that, of course, the petitioner was apprehended but nothing was recovered from his possession. Similarly situated accused Khedu Mukhiya from whose possession also nothing was recovered has already been enlarged on bail vide order passed in Cr. Misc. No. 27356 of 2015 and the case of petitioners stands on the same footing as that of Khedu Mukhiya and from the possession of petitioner no narcotic substance was recovered.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner 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 3rd Additional Sessions Judge-cum- Special Judge, Motihari in Dumariya Ghat P.S. Case No. 81/14.

(Prabhat Kumar Jha, J)

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