

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33232 of 2015

Arising Out of PS.Case No. -157 Year- 2014 Thana -BABUBARHI District- MADHUBANI

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Md. Bholu Son of Md. Idris resident of village - Kulhariya, P.S.
Babubarhi, District - Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 06-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 22 and 23 of the Narcotic Drugs and Psychotropic Substances Act.

Allegation against the petitioner is of smuggling of ganja.

The bail application of the petitioner was earlier rejected vide order dated 9.3.2015 passed in Cr. Misc no. 766 of 2015 with a direction “prayer for bail is rejected at this stage.” Petitioner has not got any criminal antecedent. He is in custody since 9.11.2014. Report called for from the court below shows that charge has not been framed. There is no allegation of tampering with the evidence against the petitioner. Allegation is recovery of 7.5 kg. Ganja from the possession of the petitioner and the same is much below the commercial quantity. Petitioner is an old man aged about 73 years and suffering from several ailments.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and there is admitted recovery from his

possession.

Considering the period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge, Madhubani, in connection with Babubarhi P.S. Case no. 157 of 2014.

(Sudhir Singh, J)

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