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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4691 of 2016

Arising Out of PS.Case No. -236 Year- 2015 Thana -BAHERA District- DARBHANGA

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1. Md. Gulfam Khan @ Md. Gulfam @ Md. Gulfan son of Safidul Khan @ Md. Safidul Khan, resident of village- Basuham, P.S.- Bahera, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manish Kumar No 13, Advocate
For the Opposite Party/s : Mr. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 16-02-2016 Heard learned counsel for the petitioner and the State.

Petitioner is languishing in custody since 28.11.2015 in a case registered for the offences punishable under Sections 20, 21, 22, 23 of the Narcotics Drugs and Psychotropic Substances Act.

The prosecution case is that form the house of the petitioner 1.3 Kgs. of ganja was recovered.

It is submitted by the learned counsel for the petitioner that seizure appears no signature of any family members of the petitioner and recovery is from joint family house of the petitioner. Though, the petitioner is accused in one another case of similar nature being Bahera P.S. Case No. 354 of 2014, in which he has been granted bail vide Cr. Misc.

No. 11830 of 2015 by a Co-ordinate Bench of this Court. It is further submitted that investigation has already concluded and charge-sheet has been submitted.

Considering the quantity of recovery just marginally more than the small quantity and the investigation being already concluded, let the above named petitioner, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Darbhanga in connection with Bahera P.S. Case No. 236 of 2015.

Considering the criminal antecedent of the petitioner, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he substantially gets involved in some serious nature of the offence or defaults for three consecutive occasions.

(Dinesh Kumar Singh, J)

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