

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4330 of 2016

Arising Out of PS.Case No. -205 Year- 2015 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. RAMJEE @ RAMAJEE son of Sri Umesh Singh @ Umesh Master,
resident of Village- Teenkoni, P.S.- Darpa, Distyric- East Champaran.

.... Petitioner/s

Versus

1. Union of India Through Inspector General, S.S.B. Frontier Head Quarter,
Patna.
2. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Md. Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

3 02-03-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since
26.11.2015 in a case registered for the offences punishable
under Sections 20,22,23 and 24 of the NDPS Act.

The petitioner was found sitting on a over-bridge
when he was apprehended and search was made. Eighty
grams of brown sugar were recovered kept in a black
coloured polythene from the place where the petitioner was
sitting.

It is submitted by the learned counsel for the
petitioner that the recovery cannot be treated from the

possession of the petitioner and only on suspicion the accusation has been levelled. This is not the case of the prosecution that at the time of personal search of the petitioner he threw the seized contraband. The personal search of the petitioner was made first but nothing was recovered. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Learned counsel for the state submits that the investigation has already concluded.

Considering the recovery of the contraband between small and commercial quantity from the place where the petitioner was sitting and the fact that the investigation has already concluded coupled with statement in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner 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 learned SDJM, Raxaul, Motihari, East Champaran in connection with Adapur P.S. Case No. 205 of 2015.

The learned court below shall be at liberty to cancel the bail bonds of the petitioner in case the

petitioner gets involved in similar offence or defaults without any reasonable cause on three consecutive occasions.



(Dinesh Kumar Singh, J)

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