

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5298 of 2016

Arising Out of PS.Case No. -196 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

Sk. Mumtaz Son of Sk. Yunus

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Umeshnand Pandit(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-02-2016 Heard learned counsels for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
15.08.2015 in a case registered for the offences punishable under
sections 19/20/22/23/24 of The Narcotic Drugs and Psychotropic
Substances Act in connection with Raxaul P.S. Case
No.196/2015, pending before the learned CJM, Sadar, Motihari,
East Champaran.

Prosecution case is that the informant Ruby Devi
found one person covering his face on suspicious condition near
her house, who was attempted to keep one bag in the house of
the informant. The said person was apprehend when he accepted
that he was given the bag of 'charas' by Jai Prakash Yadav for
keeping the same in the house of the informant. The apprehended

person disclosed his name as Sk. Mumtaz, the petitioner.

It is submitted by learned counsel for the petitioner that the seizure list reflects that the seizure has been made from the house of Bagar Yadav, hence, the same cannot be treated from the possession of the petitioner. The informant herself has criminal antecedent and the investigation has already concluded.

It is submitted by learned APP for the State that the bag containing 'charas' was brought by this petitioner knowing that the bag contained 5 k.gs of 'charas' and now on conclusion of investigation, he has been charge-sheeted.

Considering the commercial quantity of recovery, this court is not inclined to grant bail to the petitioner at present. Accordingly, the application for bail on behalf of the petitioner is rejected.

Let the learned court below expedite the trial.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--