

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6133 of 2016

Arising Out of PS.Case No. -119 Year- 2015 Thana -KHUTAUNA District- MADHUBANI

1. Md. Safi Son of Late Abadul Safi Resident of village - Ekadara, P.S.
Khutauna, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. M.Dayal(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-02-2016

Heard learned counsel for the petitioner and the State.

Petitioner is languishing in custody since 19.01.2016 in a case registered for the offences punishable under Sections 22, 23 of the Narcotics Drugs and Psychotropic Substances Act and 47A of the Excise Act.

The prosecution case is that from the house of petitioner 1 K.g ganja and 10.6 liters foreign liquor were recovered.

It is submitted by the learned counsel for the petitioner that the recovery is made from the joint family house of the petitioner. The seizure list and the First Information Report suggest that the informant was not sure that the seized material was actually ganja as the seized material has been described as ganja like material. Statement has been made in

para-3 of the petition that petitioner has no criminal antecedent.

Considering the quantity of recovery and the statement made in para-3 of the petition to that effect that petitioner has no criminal antecedent, 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, Madhubani in connection with Khautauna P.S. Case No. 119 of 2015.

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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