

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8866 of 2016

Arising Out of PS.Case No. -231 Year- 2015 Thana -BEUR District- PATNA

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1. Ajeet Kumar @ Ajeet Kumar Singh @ Sameer Kumar S/o Ashok Kumar
resident of Moh. Bhikha Chak, Police Station - Gardanibag, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Advocate

For the Opposite Party/s : Mr. Pronoti Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 06-04-2016

Heard learned counsel for the petitioner and the State.

Petitioner is languishing in custody since 30.10.2015 in a case registered for the offences punishable under Sections 20, 22, 29 of the Narcotics Drugs and Psychotropic Substances Act.

The prosecution case is that from the possession of the petitioner 79 sachets of brown sugar were recovered. Though, First Information Report and seizure list do not mention the weight of the seized contraband, but learned A.P.P. submits that para-35 of the case diary reflects each sachets contained 240 Miligrams of brown sugar, hence, the total weight comes to 18.5 gm.

Learned counsel for the petitioner submits that in fact, the alleged packets was being handed over to him by

someone else for time being and petitioner innocently holding the packet in question. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. It is further submitted that petitioner has a brilliant academic career and has to appear at the examination of Railway Recruitment Board. A supplementary affidavit to that effect has been filed. The investigation has already concluded and charge-sheet has been submitted.

Considering the recovery between small and commercial quantity, coupled with the statement made in para-3 of the petition that petitioner has no criminal antecedent and submission of learned A.P.P. that investigation has 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 Additional Sessions Judge-II, Patna in connection with Special Case No. 39 of 2015, arising out of Beur P.S. Case No. 231 of 2015.

(Dinesh Kumar Singh, J)

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