

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15381 of 2016

Arising Out of PS.Case No. -52 Year- 2015 Thana -KATIHAR GRP CASE District- KATIHAR

Salauddin @ Md. Salauddin S/o Md. Jainuddin

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. R.P.S.Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 02.11.2015 in a case registered for the offences punishable under sections 328/511 of the IPC and under Section 8/20/22 of the N.D.P.S. Act.

From the possession of the petitioner 23 sedative tablets, Ativan of 2 mg., and 5 tablets of Valium 10 were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been maliciously roped in the present case and on conclusion of investigation the police submitted charge sheet under Section 328/511 of the IPC but learned Sessions Judge differed with the police report and took cognizance under Sections 8/20/22 of the NDPS Act and under Sections 328/511 of the IPC.

Though, the petitioner is accused in three other cases also but petitioner is on bail in all these cases and those cases are not registered under N.D.P.S. Act. The investigation has already been concluded.

Learned A.P.P. does not dispute the aforesaid facts.

Considering the aforesaid facts, 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 Additional Sessions Judge-I, Katihar in connection with Katihar Rail P.S. Case No. 52 of 2015, G.R. No. 96 of 2015.

(Dinesh Kumar Singh, J)

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