

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56768 of 2015

Arising Out of PS.Case No. -5 Year- 2014 Thana -SIMRI District- BUXAR

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1. Maqsood Ansari Son of Sri Saifuddin Ansari, Resident of Village-
Majhwari, P.S.- Simari, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Giridhar Gopal Tiwary

For the Opposite Party/s : Mr. Arun Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 30-03-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 414, 420 of the Indian Penal
Code, Sections 20(B) (ii) (C), 22, 27(A), 29 of N.D.P.S. Act and
Section 47 A of the Excise Act.

Petitioner is in jail custody since 10.01.2014 on the
accusation that 6 kg 300 gm ganja was recovered from a vehicle in
which petitioner and some other accused were found sitting.

Earlier, the prayer for bail of the petitioner was
rejected by this court but the petitioner seeks bail on the ground
that he is in jail custody since 10.01.2014 and up till now, not a
single prosecution witnesses could be examined.

It is submitted on behalf of the petitioner that the alleged recovery is less than commercial quantity though it is said to be more than small quantity.

Considering the period of detention of the petitioner in jail custody as well as submissions of the parties, particularly, keeping in mind that petitioner does not have any criminal antecedent and the alleged recovery is less than commercial quantity, let the 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-cum-Special Judge, Buxar in connection with N.D.P.S. Case No. 01 of 2014 arising out of Simri P.S. Case No. 05 of 2014.

(Hemant Kumar Srivastava, J)

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