

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3357 of 2016

Arising Out of PS.Case No. -17 Year- 2015 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

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Nawab Mian S/o Subba Mian Resident of Village - Jagranathpur, P.S. -
Sherwa, Distt. - Birganj (Nepal).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore, Adv.

For the Opposite Party/s : Mr. Indu Bala Panday(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 01-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 12.08.2015 in
a case registered for the offences punishable under Sections
20(b)II(c), 21(c), 22 and 27(A) of the NDPS Act and 34 of the
Indian Penal Code.

The prosecution case is that the informant received an
information about trafficking of drugs at Narkatiaganj railway
station and during search at the railway station, 4.5 Kgs. of charas,
and one mobile with two SIM cards were recovered from co-
accused Om Prakash Kumar Gupta when one black colour hat
with electronic device and one mobile with Nepali SIM were
recovered from the petitioner.

It is submitted by learned counsel for the petitioner that

charas was not recovered from the possession of the petitioner. Moreover, investigation has already concluded. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent, which reads as follows:-

“That the petitioner having no criminal antecedent as per the statement of the pairvikar of the petitioner.”

Learned APP has not disputed the submission of the learned counsel for the petitioner that charas has not been recovered from the petitioner.

Considering the aforesaid facts, let the above named petitioner be released on bail, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Rail Judicial Magistrate, Narkatiyaganj, West Champaran, Bettiah in connection with Narkatiaganj Rail P.S. Case No. 17 of 2015.

The bail bonds of the petitioner shall be accepted on verification of the criminal antecedent of the petitioner.

(Dinesh Kumar Singh, J)

Amrendra/-

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