

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26362 of 2016

Arising Out of PS.Case No. -176 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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Manoj Kumar Son of Ram Nandan Sah Resident of village- Baro Salempur,
P.S.- Barauni (Garhara O.P.), District- Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-06-2016

Heard learned counsel for the parties.

The petitioner is languishing in custody since 1.5.2016 in a case registered for the offence punishable under section 414 of the Indian Penal Code, sections 20, 22 of the N.D.P.S.Act and sections 25(1-B)a, 26 and 35 of the Arms Act.

The application has been filed by Mr. Shivjee Singh having Enrolment No. 2011/11, whereas it has been argued by Mr. Mukesh Kumar having AOR No. 01917.

Prosecution case is that SHO of Garhara O.P. received an information that few miscreants have assembled near the shop of co-accused Binod Sah @ Langra for purchase of Ganja and arms illegally. On the said information raid was led when three persons were found fleeing away from the shop of Binod Sah. On chase they were apprehended and disclosed the name as Ravi Kumar @

Lalwa, Binod Sah @ Langra and Manoj Kumar, the petitioner. Consequently the shop of Binod Sah @ Langra was raided and from his shop 500 grams Ganja, 160 liters kerosene oil and one Apache motorcycle were recovered. From the possession of Ravi Kumar @ Lalwa one carbine with magazine were recovered.

It is submitted by the learned counsel for the petitioner that nothing has been recovered from the possession of the petitioner and the petitioner has been apprehended only on suspicion since he happens to be the brother of co-accused Binod Sah. Statement has been made in paragraph 3 of the application that the petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, abovenamed, 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 the District and Sessions Judge cum Special Judge (N.D.P.S.Act), Begusarai in N.D.P.S.Case No. 3/2016 arising out of Barauni (Garhara O.P.) P.S.Case No. 176/2016.

(Dinesh Kumar Singh, J)

Surendra/-

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