

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21933 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -SIKTI District- ARRARIA

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Md. Imtiyaz @ Imtiyaz S/o Md. Jamil @ Jalil. Resident of Village-
Bholani, P.S.- Sikty, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Union of India through Godown Secretary, N.D.P.S., Patna null null

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar-I(App)

For UoI :- Mr. Ram Anurag Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 26-07-2016 Heard learned counsels for the petitioner and

learned APP for the State.

The petitioner is languishing in custody since
27.03.2016 in a case registered for the offences punishable under
section 3(c), 21(c) and 23(c) of The Narcotic Drugs and
Psychotropic Substances Act, 1985 in connection with Special
Case No.4/2016 arising out of Sikty P.S. Case No.15/2016,
pending before the learned Sessions Judge-cum-Special Judge,
Araria.

On the secret information, the house of the petitioner
was raided and 1.5 KG 'Charas' was recovered.

It is submitted by learned counsel for the petitioner

that the recovery was made from the abandoned joint family house; hence, it cannot be treated as a recovery from the possession of the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by Mr. Ram Anurag Singh, learned counsel for the Union of India that the recovery is of commercial quantity.

Considering the commercial quantity of recovery, this court is not inclined to grant bail to the petitioner at present. Accordingly, the application for bail on behalf of the petitioner is rejected.

However, it is expected from the trial Court to expedite the trial.

(Dinesh Kumar Singh, J)

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