

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 20481 of 2016

Arising out of P.S. Case No. -349 Year- 2012 Thana -
MAJHAULIA District- WESTCHAMPARAN(BETTIAH)

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Sunil Sah Son of Chhote Lal Sah, Resident of Village- Rulahi
Bishambhara, Police Station- Majhaulia, District- West
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s: Mr. U.S.P. Singh (APP)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

03. 26.07.2016

Heard learned counsel for the Petitioner and the
State.

The Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 20 and
22 of the N.D.P.S. Act.

The Informant being the Sub-Inspector of Police
during investigation of a criminal case intercepted the Passion
Pro motorcycle bearing Registration No. 22H 2984 on which
two persons were traveling but they fled away leaving the
motorcycle from which two packets kept in a bag each packet
contains 7 Kgs. ganja total 14 Kgs. ganja were recovered.
Subsequently, during the investigation it was found that the
motorcycle was registered in the name of one Rajesh Kumar
who disclosed that the petitioner took the motorcycle for

bringing medicine of his ailing father.

It is submitted by learned counsel for the petitioner that in fact there is no recovery from the petitioner. The FIR was registered on 12.10.2012 against unknown and in order to save the registered owner of the motorcycle the statement of the witnesses have been recorded in paragraphs 79, 80, 81 and 84 of the case diary after more than two years of registration of the FIR. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedents.

Considering the nature of accusation against the petitioner, it is the case for consideration of prayer for regular bail, if the petitioner surrenders within a period of six weeks from today in connection with Majhaulia P.S. Case No. 349 of 2012 (Tr. No. 13 of 2016) pending before the learned Additional District and Sessions Judge, West Champaran, Bettiah.

Accordingly, the application is disposed off.

(Dinesh Kumar Singh, J.)

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