

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24305 of 2016

Arising Out of PS.Case No. -298 Year- 2012 Thana -GARDANIBAGH District- PATNA

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Sujit Paswan @ Rakesh Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Mr. Satyendra Narayan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 31-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 20 and 22 of the NDPS Act.

From the house of the petitioner 22 grams of Heroin and weighing equipment of small quantity along with cash of Rs.11110/- were recovered.

It is submitted by the learned counsel for the petitioner that from the perusal of the FIR it appears that the informant received information on 12.9.2012 at 6.25 P.M. about dealing in the brown sugar by the petitioner but the time of raid has been recorded as 5.05 P.M. More over, the FIR was registered on 12.9.2012 but it reached to the court of the learned Sessions Judge on 19.9.2012 which suggests that by antedating the FIR was

registered.

Keeping in view of recovery of contraband between small and commercial quantity and the FIR was registered in 2012, this court is not inclined to grant anticipatory bail to the petitioner but in view of the inconsistencies in registration and transmission of FIR to the court as well as medical grounds of the petitioner, let the learned court below consider the prayer for regular bail of the petitioner in case the petitioner surrenders within six weeks from today in connection with Special Case No. 29 of 2012 pending in the court of learned Additional Sessions Judge II, Patna.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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