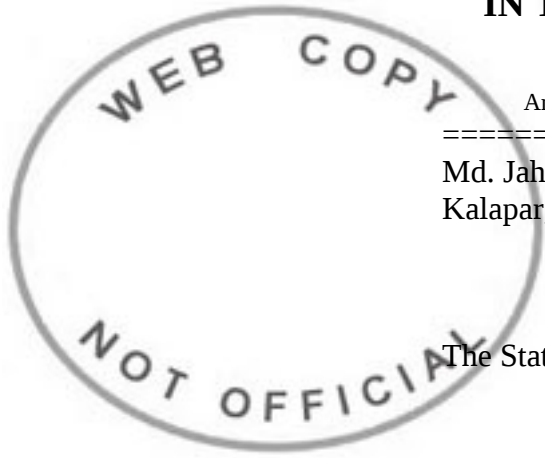




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28576 of 2016

Arising Out of PS.Case No. -96 Year- 2016 Thana -RAJIVNAGAR District- PATNA

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Md. Jahangir @ Jahangir Son of Md. Shaukat, Resident of Village- Ishapur,
Kalapar, P.S. Fulwari Sharif, District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Advocate

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-07-2016 Heard learned counsels for the petitioner and the

State.

Petitioner is languishing in custody since 10.5.2016

in a case registered for the offences under Sections 20(2)(C), 22

and 27 of the N.D.P.S. Act.

The prosecution case is that on information that

several persons are indulged in selling of ganja, raid was laid

when ten persons were apprehended. From the possession of the

petitioner, 500 grams of ganja and 12 notes of Rs.500/-

denomination were recovered.

It is submitted by learned counsel for the petitioner

that only on suspicion, the petitioner was apprehended. The F.I.R.

does not reflect any recovery from the petitioner. The recovery has been mentioned in the seizure list.

Learned A.P.P., after going through the records fails to satisfy the Court that the weight of recovered contraband has not been mentioned in the first information report with regard to the petitioner. This fact has also not been noticed by the learned C.J.M.

Let this fact be brought to the notice of Sr. S.P., Patna to see how casually the F.I.R. under the provision of N.D.P.S. Act has been registered. It is submitted by the learned counsel for the petitioner that the recovery is of small quantity.

The statement has been made in paragraph-3 of the petition that the petitioner has got no criminal antecedent.

Mr. Arun Kumar Pandey, learned A.P.P. does not dispute that the quantity of recovery has not been mentioned in the F.I.R. though the seizure list depicts the quantity of recovery as 500 grams.

Considering the recovery of small quantity, let the petitioner above named be released on bail on his furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Patna in connection with Rajiv Nagar P.S. Case No.96 of 2016 giving rise

to Special Case No.17 of 2016.

Let the order be transmitted to Senior S.P., Patna and
learned C.J.M., Patna.

(Dinesh Kumar Singh, J)

N.H./-

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