

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26938 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -DULHIN BAZAR District- PATNA

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Sunil Kumar son of Arjun Yadav resident of Village - Bhaluwa (Bhadsara),
P.S. - Dulhin Bazar, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-06-2016

Heard learned counsel for the parties.

The petitioner is languishing in custody since 23.5.2016 in a case registered for the offence punishable under sections 20, 22 of the N.D.P.S.Act.

From the wooden shop of the petitioner 509 grams of Ganja were recovered.

Learned counsel for the petitioner submits that the recovery was not made from the conscious possession of the petitioner. The petitioner was not present at the place of seizure as the seizure does not bear the signature of the petitioner. Since cousin brother of the petitioner Anil Yadav lodged Complaint Case No. 123(c)/2016 against S.H.O., Dulhin Bazar, hence the petitioner has been roped in this case. Statement has been made in paragraph 3 of the application that the petitioner has no criminal

antecedent.

Mr. J.N.Thakur, learned counsel for the State, does not controvert the recovery of small quantity of Ganja.

Considering the aforesaid facts, 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 Sessions Judge cum Special Judge, N.D.P.S.Act, Patna in Special Case No. 22/2016 arising out of Dulhin Bazar P.S.Case No. 89/2016.

The bail bonds of the petitioner shall be accepted by the learned court below on filing affidavit that he will regularly co-operate in the investigation. Non-cooperation in the investigation or in case of default in appearing in court for two consecutive occasions or getting substantially involved in similar nature of offence will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

Surendra/-

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