

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43946 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Javed Alam Son of Noor Mohammad residents of Village- Bairiya, P.S.-
Kalaiya, District- Bara (Nepal).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India through the Inspector General, S.S.B., Frontier Head
Quarters, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 15-12-2016 Heard Sri Umesh Chandra Verma , learned counsel for

the petitioner, Mr. M. Rab, learned Additional Public Prosecutor

as well as Sri Anjani Kumar Saran, learned Central Government

Counsel.

The sole petitioner, who is in custody only since
5.8.2016 in N.D.P.S. Case No. 41 of 2016 arising out of Adapur
(Harpur) P.S. Case No. 130 of 2016, G.R. Case No. 567 of 2016
registered for the offence under Section 18, 20 and 22 of the
Narcotic Drugs And Psychotropic Substances Act , 1985 has
prayed for grant of bail.

It was submitted by learned counsel for the petitioner
that petitioner had taken a lift on a motorcycle which was being



driven by the co -accused however the motorcycle was intercepted and it was found that the person who was driving motorcycle had concealed brown sugar into his helmet. According to learned counsel for the petitioner, petitioner was not at all aware about possession of brown sugar. He has further argued that the recovered brown sugar is just above the small quantity and as such , petitioner may be enlarged on bail.

Learned Additional Public Prosecutor as well as learned Central Government Counsel have opposed the prayer. It was submitted that it was a case of recovery of brown sugar and petitioner was also one of the companion of the motorcycle.

Keeping in view recovery of brown sugar, there is no reason to extend the privilege of bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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