

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13480 of 2016

Arising Out of PS.Case No. -716 Year- 2012 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Bablu Hazam, s/o Najamuddin Hazam, resident of khetarimal Mohalla,
P.S.- Ara Town, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Indivar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-03-2016 Heard learned counsel for the petitioner and the State.

Petitioner is languishing in custody since 10.10.2012 in a case registered for the offences punishable under Sections 20, 22, 23, 24, 27!, 29 of the Narcotics Drugs and Psychotropic Substances Act.

The prosecution case is that one motorcycle was intercepted which was being driven by co-accused Asraf Ali Ansari @ Ali, while the petitioner was pillion rider. From Asraf Ali Ansari @ Ali one country made semi automatic pistol loaded with five live cartridges and about 20 gm. of charas was recovered along with nokia mobile. From the possession of the petitioner one semi automatic country made pistol loaded with five live cartridges and from the dicky of motorcycle 2 K.g. Nepali charas was recovered.

Learned counsel for the petitioner submits that only arms was recovered from the possession of the petitioner and charas was recovered from the dicky of the motorcycle, which cannot be treated recovery from the possession of the petitioner. The petitioner is accused in one other case apart from the present case.

Considering the commercial quantity of charas of recovery from the motorcycle, this Court is not inclined to grant bail to the petitioner.

Accordingly, the application stands dismissed.

Let the trial be expedited.

(Dinesh Kumar Singh, J)

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