

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1486 of 2016

Arising Out of PS.Case No. -319 Year- 2015 Thana -ARA NAWADA District- BHOJPUR

Bhikhan Rajak son of Digan Rajak, resident of village- Khuthadih, P.S. Badhayia, District- Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Zonal Director, Narotics Control Bureau, Bihar, Patna

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Anil Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 04-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 11.09.2015 in a case registered for the offences punishable under Sections 20/22 of the NDPS Act.

On information that the miscreants are selling narcotic, raid was laid, when petitioner, co-accused Raj Kumar and Kamlesh Kumar were apprehended. From the possession of Raj Kumar 250 gms. of Heroin, cash of rupees four thousand and two mobiles were recovered, from the possession of the petitioner one mobile and rupees three hundred were recovered and from the possession of Kamesh Kumar one mobile having dual sim was

recovered. Raj Kumar suggested that he purchased the seized Heroin from the petitioner. He also confessed that the alleged Heroin is being sold by him and Kamlesh in small quantity.

It is submitted by learned counsel for the petitioner that actual recovery has not been made from the petitioner and except confession of the co-accused there is no material against the petitioner. During investigation nothing has been collected against the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent and investigation has already concluded.

Considering the fact that recovery has not been made from the petitioner, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhojpur at Ara in connection with N.D.P.S. Case No. 11 of 2015 arising out of Ara Nawada P.S. Case No. 319 of 2015.

(Dinesh Kumar Singh, J)

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