

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11775 of 2016

Arising Out of PS.Case No. -336 Year- 2015 Thana -ARARIA District- ARRARIA

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Md. Alam @ Parvej Alam @ Md. Perwez Alam son of Md. Hassan resident
of village - Zeromile Sisauna, P.O./P.S. Araria, Distt. Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh

For the Opposite Party/s : Mr. P.K.Jha (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

4 29-07-2016

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case registered for the offences punishable under sections 273, 274, 34 of the Indian Penal Code and 7(b)(ii), 27(d), 28 of the Drugs and Cosmetics Act and sections 8, 21, 29 of the N.D.P.S.Act.

Prosecution case is that two persons were found sitting on a motorcycle. One of them was driving the motorcycle while the other was pillion rider carrying a carton. One person escaped from the scene and the other person was apprehended with a carton who disclosed his name as Md. Guddu and also disclosed the name of the person who escaped from the scene as Md. Alam. From his possession 100 bottles of Corex Cough Syrup of 100 ml. each were recovered. On the statement of Md. Guddu 17 cartoons, each containing 100 bottles of Corex Cough Syrup were recovered

from the house of Md. Hassan. Md. Guddu disclosed that the person who escaped from the scene was Parvej, the petitioner.

It is submitted by the learned counsel for the petitioner that admittedly recovery has not been made from the petitioner.

Learned A.P.P., appearing for the State, after going through the case diary, submits that though the recovery was not made from the petitioner but the recovery has been made from Md. Guddu and Md. Hassan, who happens to be maternal-grandfather of the petitioner.

In view of the fact that the recovery has not been made from the petitioner, it is a case for consideration of the prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Araria P.S.Case No. 336/2015, Special Case No. 7/2015 pending in the court of Sessions Judge, Araria.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

Surendra/-

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