

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41805 of 2016

Arising Out of PS.Case No. -185 Year- 2016 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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Jai Prakash Chaudhary son of late Srinath Chaudhary.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 27.07.2016 in a case registered for the offences punishable under Sections 20B, 22, 23 and 24 of the NDPS Act.

The prosecution case is that the informant Vijay Kumar Yadav being the Inspector cum SHO, Chhatauni police station received an information that trade of narcotic drugs and psychotropic substance is going on when the house of Sita Ram Paswan was raided. In the room of Sita Ram Paswan, four persons namely Kripa Singh, Rajesh Kumar, Jai Prakash Chaudhary, the petitioner and Manoj Kumar were found smoking when two 'chilams' (smoking device) were recovered. From the possession of co-accused Kripa Singh, 1.5 kg of ganja was recovered.

It is submitted by the learned counsel for the petitioner

that admittedly there is no recovery from the petitioner even no incriminating recovery was made from the place of seizure which suggests that the petitioner and others were smoking ganja. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Mr. J.N. Thakur, learned counsel for the State does not controvert the fact that there is no recovery from the petitioner.

Considering the fact that no recovery has been made from the petitioner and statement made in para 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner, be released on bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge, East Champaran, Motihari in connection with NDPS Case No. 39 of 2016 arising out of Chhatauni P.S. Case No. 185 of 2016.

(Dinesh Kumar Singh, J)

Amrendra/-

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