

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26463 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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Anwar Alam, Son of Hazi Nazir Hussain, Resident of Village-Lalpor got,
P.S.-Birpur, District-Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-06-2016 Heard learned counsels for the petitioner and the

State.

Petitioner is languishing in custody since
14.02.2016 in a case registered for the offences punishable under
Sections 20 and 22 of the NDPS Act.

The prosecution case is that the petitioner and Md.
Enamul haque were travelling on a motorcycle, when they were
apprehended by the informant and from the motorcycle two
packets of double tiger brand Thailand make heroin weighing one
pound each were recovered.

It is submitted by the learned counsel for the
petitioner that recovery has not been made from the physical
possession of the petitioner. The motorcycle from which the
recovery has been made does not belong to the petitioner.

Considering the nature of accusation and commercial quantity of recovery of heroin, this Court is not inclined to grant bail to the petitioner in connection with Special Case No. 08 of 2016 arising out of Forbesganj P.S. Case No. 72 of 2016 pending in the Court of learned Sessions Judge cum Special Judge, Araria.

Accordingly, this application is dismissed.

It is expected from the learned Court below to expedite the trial.

(Dinesh Kumar Singh, J)

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