

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28756 of 2016

Arising Out of PS.Case No. -212 Year- 2016 Thana -SAHARSA District- SAHARSA

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Parshuram Deo Son of Late Sukhdeo Mishra Resident of Kachahari Road,
Shivapuri, Ward No. 1, P.S. & District - Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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

ORAL ORDER

03/ 11-08-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is languishing in custody since 17.03.2016 in a case registered for the offences punishable under Sections 20 and 22 of the NDPS Act.

The prosecution case is that the informant being SHO of Saharsa Sadar Police Station while on duty during Matriculation examination received information that the people including the petitioner are indulged in selling Ganja around the Stadium when raid was laid and from the hutment of co-accused Sukumar Yadav @ Shiv Kumar Yadav Five kgs. Ganja kept on cot and 16 packets weighing 60 grams Ganja in front of the hutment were recovered. Five persons were found present including the petitioner at the place of seizure. Thereafter, 100 grams of Ganja kept in 42

sachets were recovered from Officer Yadav.

It is submitted by learned counsel for the petitioner that there is no recovery from the petitioner and simply the petitioner was apprehended on suspicion. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. Moreover, similarly situated accused Babban Kumar, Amardeep Ram, Kavindra Ram and Udgar Ram have been granted bail by this Court and co-ordinate Benches of this Court vide Cr. Misc. Nos. 19420 of 2016, 24276 of 2016 and 25250 of 2016.

Learned counsel for the State submits that the petitioner was arrested from the place of recovery.

Considering the fact that recovery was not made from the petitioner and other similarly situated have been granted bail, 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, Saharsa in connection with Special Case No. 01 of 2016 arising out of Saharsa Sadar P.S. Case No. 212 of 2016.

(Dinesh Kumar Singh, J)

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