

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19653 of 2016

Arising Out of PS.Case No. -566 Year- 2015 Thana -SUPAUL District- SUPAUL

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Nunu Lal Mandal @ Bhuvneshwar Mandal S/o Late Khukheen Mandal
resident of Village - Kataiya, P.S. - Pipra, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Arun Kr. Panday (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 20-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections
20(b)(i) & 22(a) of the NDPS Act.

The prosecution case is that one Umesh
Kumar Yadav was apprehended while travelling on motorcycle
and from his possession 5 kgs. of Ganja were recovered. He
claimed that he purchased the seized contraband from the
petitioner for rupees twelve thousand.

It is submitted by learned counsel for the
petitioner that admittedly recovery has not been made from the
petitioner and only on confession of co-accused petitioner has

been roped in the present case. It is further alleged that the house of the petitioner was raided but nothing was recovered. Though, the petitioner is accused in one other case of similar nature but he is on bail. Supplementary affidavit to that effect has been filed.

In view of the fact that there is no recovery from the possession of the petitioner, it is a case for consideration of prayer for regular bail by the learned court below, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Special Case No. 04 of 2015 arising out of Supaul P.S. Case No. 566 of 2015 pending in the court of learned Sessions Judge, Supaul.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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