

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32689 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

Pawan Yadav Son of late Bhalsu Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Advocate

For the Opposite Party/s : Mr. Sri Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-08-2016 Heard learned counsels for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since 30.03.2016 in a case registered for the offences punishable under section 25(1-B)a, 26 of the Arms Act, 47a of the Excise Act, 20/22/24 of The Narcotic Drugs and Psychotropic Substances Act, 1985 in connection with Murliganj P.S. Case No.100/2016, pending before the learned Sessions Judge-cum-Special Judge, Madhepura.

Prosecution case is that on the basis of secret informant the house of co-accused Chandan Yadav was raided when 27 bottles each containing 400 ml, country made liquor, were seized. On the disclosure of Chandan Yadav to the effect that the

petitioner used to sell the country made liquor from his wooden shop, the petitioner was apprehended and from his possession one country made pistol, one live cartridge were recovered. From the wooden shop of the petitioner 46 bottles (each containing 400 ml) country made liquor, five sachets of ganja weighing 10 grams apart from that 30 grams ganja, kept in open sachets were recovered.

It is submitted by learned counsel for the petitioner that recovery of ganja is of small quantity. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of recovery, this court is not inclined to grant bail to the petitioner at present. Accordingly, the prayer for bail on behalf of the petitioner is rejected.

(Dinesh Kumar Singh, J)

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