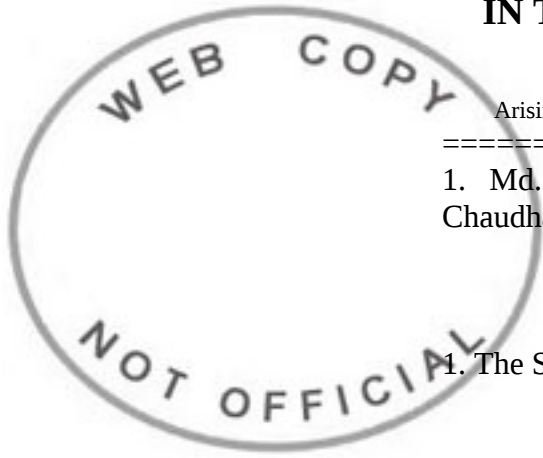




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34293 of 2016

Arising Out of PS.Case No. -385 Year- 2016 Thana -ARA NAWADA District- BHOJPUR

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1. Md. Jawed S/o Md. Riyaj, Resident of Muhalla- C.K. Road,
Chaudhariana P.S.- Ara Nagar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 01-09-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since
28.5.2016 in a case registered for the offences punishable
under Sections 8, 21 (c)and 29 of the NDPS Act.

The prosecution case is that co accused Krishna
Kumar alias Amarendra was apprehended with 500 grams
Heion/brown sugar. The apprehended accused disclosed
the name of this petitioner and another co accused Md.
Riyaz being his accompish in the illegal trade of
Heroin/brown sugar. Thereafter, the house of the petitioner
and his father Md. Riyaz was raided and about 979 grams

of Heroin/brown sugar were recovered.

It is submitted by the learned counsel for the petitioner that the house is recorded in revenue records in the name of father Md. Reyaz, hence, the recovery cannot be treated from the possession of the petitioner. The father of the petitioner has admitted that he used to indulge in the trade of Heroin/brown sugar with co accused Krishna alias Amarendra. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The FSL report at Flag- A reflects that the four samples of the two seizure; one from co accused Krishna alias Amarendra and another from the house of the petitioner were transmitted which have been marked as A to D and all the samples have been found to be morphine and codine.

Considering the commercial quantity of recovery, this court is not inclined to grant bail to the petitioner in connection with NDPS Case No. 10 of 2016 arising out of Ara Nawada P.S. Case No. 385 of 2016 pending in the court of learned Sessions Judge, Bhojpur at Ara.



This application is, accordingly, dismissed.
However, let the trial be expedited.

(Dinesh Kumar Singh, J)

Anil/-

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