

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1147 of 2016

Arising Out of PS.Case No. -917 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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MD. MUNNA @ RUMMI HASAN @ RUNI HASAN Son of Late Md. Sahjad

.... Petitioner/s

Versus

1. The Union of India through Assistant Commissioner, Narcotics, Patna
2. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate
For the Opposite Party/s : Mr. Arbind Kumar Pandey(App)
For the Union of India : Mr. Rakesh Kumar Sinha, CGC

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 30.09.2015 in a case registered for the offences punishable under sections 20, 22 and 23 of The Narcotic Drugs and Psychotropic Substances act, 1985.

The prosecution case is that from the house of the petitioner 30.07 gm of smack and 182 gm of 'ganja' were recovered.

Though, there is some confusion with regard to quantity of recovery in the impugned order as well as in the First Information Report but learned counsel appearing on behalf of the

Union of India submits that 30.07 gm of smack and 182 gm of ganja were recovered.

It is submitted by learned counsel for the petitioner that the recovery has been made from the joint family house and the recovery is between the small and commercial quantity. Moreover, investigation has already concluded and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No.917/2015.

Ashwini/-

(Dinesh Kumar Singh, J)

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