

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16866 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Rohit Bahadur Rana Son of Indra Bahadur Rana, Resident of Village -
Kashki, P.S. - Baidang, District - Pokhara (Nepal).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Union of India Narcotic Department.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii
For the Opposite Party/s : Mr. M.K.Nirala(App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

12 28-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Raxaul P.S. Case No. 10 of
2016 instituted for the offence under Sections-22 & 24 of NDPS
Act.

It is alleged in the written report that 450 pieces of
NOS intoxicated injection of NOOPHIN (BUPRENORPHINE)
DIAZELAB (DIAZEPAM) each 150. in numbers has been
recovered from the pocket of this petitioner and this petitioner was
arrested.

It has been submitted that petitioner is in custody since
15-01-2016.

The report was called for from the court below about



the current stage of the trial wherein it has been mentioned that not a single witness has been examined till date after framing of charge on 18-04-2016. Counsel for the petitioner submitted that only DIAZELAB (DIAZEPAM) which is mentioned at serial No. 194 in the table u/S 2 of NDPS Act finds mention and remaining three injections do not find mention in the table. The FSL report has been received wherein it has been mentioned that in the samples, drugs were detected and basic drugs are intoxicating and addictive in nature.

In such circumstances keeping in view the period already spent in custody and even not a single witness has been examined till date, the prayer for bail is allowed and the petitioners named above, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Raxaul P.S. Case No. 10 of 2016 to the satisfaction of learned Sessions Judge, Motihari, East Champaran subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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