

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22102 of 2017**

Arising Out of PS.Case No. -38 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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1. Md. Murshid Son of Nazamuddin, Resident of Village- Rampur South  
Police Station- Forbesganj, District- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Smt. Asha Kumari

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR**  
**UPADHYAY**  
**ORAL ORDER**

3      07-06-2017      Heard learned counsel for the petitioner and the  
State.

Petitioner is in custody in connection with Special  
case no. 03 of 2017 corresponding to Forbesganj PS case no. 38 of  
2017 for the offences punishable under Sections 20, 22 and 24 of  
N.D.P.S. Act.

From the perusal of FIR, it appears that 1.5 kg of  
*ganja* was recovered from the tea stall of the petitioner.

In this case, vide order dated 08.05.2017, case  
diary was called for. Counsel for the State, on the basis of case  
diary, has submitted that apart from recovery of 1.5 kg of *ganja*  
from the tea stall of the petitioner, there is nothing on record to  
show the involvement of petitioner in sale or purchase of *ganja*. In



para 3 of statement on affidavit, petitioner has stated that he has no criminal antecedent.

Having regard to the fact that petitioner has no criminal antecedent and in the case diary, no material is available to connect the petitioner with the business of *ganja* and also the fact that petitioner is in custody since 21.01.2017, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sessions Judge, Araria or the concerned court in connection with Special case no. 03 of 2017 subject to the condition that petitioner will fully cooperate in the conclusion of trial and cannot in any manner influence the witnesses.

**(Anil Kumar Upadhyay, J.)**

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