

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51432 of 2016

Arising Out of PS.Case No. -1021 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Rahul Kumar son of Late Maldeo Mistri, Resident of Village- Nagwan,
P.S. Garhwa, District- Garhwa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Mojibur Rahman

For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 3/ 4 and 22 (C) of Narcotic
Drugs and Psychotropic Substance Act, 1985.

According to FIR one Raju Kumar produced 30
grams of heroine alleging that the same was recovered from the
possession of the petitioner.

Submission of the petitioner is that Raju Kumar is a
public and not competent authority to search the person of the
petitioner under Section 42 of N.D.P.S.Act, 1985. Moreover, the
petitioner has got no criminal antecedent and there is no material
that the recovery was from the possession of the petitioner. The



petitioner is in custody since 08.09.2016.

Considering the aforesaid facts and circumstances of the case, let 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, Sasaram (Rohtas) in N.D.P.S. Sasaram (T) P.S.case No.1021 of 2016.

(Birendra Kumar, J)

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