

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19346 of 2017

Arising Out of PS.Case No. -9 Year- 2015 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Suraj Kumar Son of Late Ram Kishore Giri Resident of Village - Pareua
Chowk, Ward No. 1, P.S.- Raxaul, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. The Union of India through S.S.B. 13B, Batallian Company Beldarwa
Math, East Champaran.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan

For the Opposite Party/s : Mr. Matloob Rab, APP-34

For Union of India :- Mr. Manoj Kumar Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN

SHARMA

ORAL ORDER

2 19-05-2017 Heard learned counsel for the petitioner, learned
counsel representing the State and Union of India.

The petitioner seeks bail in connection with Adapur P.S.
Case No. 9 of 2015 registered for the offences punishable under
Sections 20, 22, 23 and 24 of the Narcotic Drugs & Psychotropic
Substances Act.

Allegedly, from possession of the petitioner 1 kg. 900
grams Charas was recovered besides one mobile and cash of Rs.
394/-.

Submission is of false implication and that mandatory
provision of law has not been complied with. There is no signature
of the petitioner on the seizure list, even the name of the petitioner



is not mentioned and the petitioner without any fault is suffering in custody since 20.01.2015. Forensic Science Laboratory Report has not been obtained and without FSL report chargesheet has been submitted and charges have already been framed and as such the petitioner deserves sympathetic consideration.

Learned counsel representing Union of India opposes the prayer of bail by submitting that huge quantity of Charas was recovered.

In the facts and circumstances stated above, considering the alleged recovery, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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