

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37635 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -KATIHAR (R.T) District- KATIHAR

=====

1. Md. Nazim, Son of Khurshid,
2. Amit Kumar Son of Yogindra Singh @ Yoginder Singh, Both are R/o
Gunkali, P.S.- Jind, District- Jind (Haryana).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 06-11-2017 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioners are in judicial custody since 31.01.2017 in
connection with Katihar Rail P.S. Case No. 06/2017, for the
offences punishable under Sections 8, 20 and 22 of the N.D.P.S.
Act.

The prosecution case as lodged by the Railway police is
that two bags were found under the seat of berth no. 17 and 20 of
the train and from the two bags 49 k.g. and 66 gms of ganja was
recovered along with voter I.D. card of the petitioners and other
items. Accordingly, seizure list was prepared.

It has been submitted by the learned counsel for the
petitioners that they are innocent; bearing no criminal history and



nothing has been recovered from their conscious possession. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioners.

However, learned A.P.P. for the State opposes the prayer for bail stating that the petitioners were apprehended on the spot and from the bags under the seat of their berth, huge quantity 49 k.g and 66 gms. of ganja were recovered and voter I.D. cards of the petitioners were also recovered in each bag.

Considering the facts and circumstances and materials on record, I am not inclined to grant privilege of bail to the petitioners named above. Application is accordingly, rejected.

(Nilu Agrawal, J)

Vinita/-

U		T	
---	--	---	--

