

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52590 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -DALSINGHSARAI District- SAMASTIPUR

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Shailesh Prasad @ Shailendra Prasad, S/o Suraj Prasad Singh, Resident of
Village- Raibag, P.S.- Didarganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-12-2017 Heard the learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with
N.D.P.S. Case No. 6 of 2017, arising out of Dalsingsarai P.S. Case
No. 39 of 2017 dated 19.02.2017 instituted for the offences under
Sections 8/20(C), 25 of the Narcotic Drugs and Psychotropic
Substances Act, 1985.

The petitioner was found to be sitting in a Bolero
vehicle along with six other persons, from where 10 packets each
containing 5 kg. Ganja was recovered. Along with the Bolero
vehicle, one truck was also intercepted and from the truck, 72
packets, each containing 10 kg. Ganja was also recovered. For the
narcotics recovered from the truck, three other persons have been



made accused. Though the petitioner denies of his being present in the Bolero vehicle when the raid was conducted but submits that even if such allegation is accepted to be ex facie true, the petitioner would be attributed with being in possession of around 17½ kg. of Ganja. It is further submitted that the provisions of search and seizure were not followed by the police. The petitioner has a clean antecedent and is in custody since 21.02.2017. A similarly situated co-accused viz. Ashok Kumar has been granted bail by a coordinate Bench of this Court vide order dated 26.07.2017 passed in Cr. Misc. No. 27634 of 2017.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Samastipur in connection with N.D.P.S. Case No. 6 of 2017, arising out of Dalsingsarai P.S. Case No. 39 of 2017.

(Ashutosh Kumar, J)

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