

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48566 of 2017

Arising Out of PS.Case No. -220 Year- 2017 Thana -SHRIKRISHNAPURI District- PATNA

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1. MANISH KUMAR @ MANISH @ MANOJ, Son of Kedar Singh, R/o Madhuban, P.S.- Kurhni, District- Muzaffarpur.

At present Mahesh Nagar Road No. 10, in the side of Railway line, P.S. Patliputra, Patna.

2. Siya Ram Kumar Bind @ Siyaram Bind S/o Chatrri Bind, R/o Jagdihpur Lilam, P.S.- Parsbigaha, District- Jehanabad, At Present Jhoparpatti in front of Krishna Apartment, P.S.- Srikrishnapauri, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kameshwar Singh

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody since 19.08.2017 in connection with a case registered for the offences punishable under Sections 20/22 of the NDPS Act.

Learned counsel for the petitioners submits that the total quantity so recovered is only 100 Grams which is less than the commercial quantity. It is further submitted that there is no recovery from the conscious possession of the present petitioners and the procedure for making such seizure has also not been followed.

Considering the fact that the recovery was made from



a betel kiosk and not from the conscious possession of the petitioner and that they are not the owners of the said betel shops, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Spl. Judge, N.D.P.S., Patna, in connection with Krishnapuri P.S. Case No. 220/2017.

(Anjana Mishra, J)

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