

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13398 of 2017

Arising Out of PS.Case No. -310 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Naresh Prasad Singh Son of Ramotar Raut, Resident of Village- Katrisarai
(Giriyak),Police Station-Katrisarai (Giriyak), District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.4044 of 2017

Arising Out of PS.Case No. -310 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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AKHLESH KUMAR @ AKHILESH KUMAR, son of Naresh Prasad,
Resident of village- Katrisarai (Giriyak), Police Station- Katrisarai
(Giriyak), District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.13398 of 2017)

For the Petitioner/s : Mr. Ganesh Sharma

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

(In Cr.Misc. No.4044 of 2017)

For the Petitioner/s : Mr. Ganesh Sharma

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-05-2017 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

Both the aforesaid applications arise out of the same

Giriyak (Katrisarai) P.S. Case No. 310 of 2016 registered under



Sections 467, 468, 471, 420, 120(B) of the Indian Penal Code, under section 66 of the I.T. Act and sections 18(A), 18(B), 18(C), 28(A), 27(B), 1, 33 EEC(i) of Drugs and Remedies Act. Therefore, both the aforesaid applications have been heard together and are being disposed off by this common order.

The petitioners apprehend their arrest in connection with Giriyak (Katrisarai) P.S. Case No. 310 of 2016 registered under Sections 467, 468, 471, 420, 120(B) of the Indian Penal Code, under section 66 of the I.T. Act and sections 18(A), 18(B), 18(C), 28(A), 27(B), 1, 33 EEC(i) of Drugs and Remedies Act.

The accusation is that house of Naresh Prasad was searched in presence of Mahendra Raut from where 7 bags of mixture (Churn) and 1200 wooden box containing medicine alongwith six C.Ds. a registered letter addressed to Sanjeev Patel, Katrisarai (Nalanda) were seized.

Learned counsel appearing on behalf of the petitioner submits that petitioner Naresh Yadav and Akhilesh Kumar are father and son in relation. The ground floor of the house of the petitioner Naresh Prasad was hired to co-accused Uday Kumar and as such the seized materials do not belong to the petitioner. Both the petitioners have no criminal antecedent.

Considering the aforesaid submissions, let the



petitioners, named above, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-6, Nalanda at Biharsharif, in connection with Giriyak (Katrissarai) P.S. Case No. 310 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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