

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30062 of 2018

Arising Out of PS.Case No. -252 Year- 2017 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

=====

Subhash Yadav S/o Lal Babu Yadav, R/o Vill.- Siswa , P.S.- Raxaul,
District- East Champaran, Motihari. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 22.11.2017 in connection with Ramgarhwa P.S. Case No. 252 of 2017 for the offence registered under Sections 414 of the Indian Penal Code and Section 20 (b) (ii) (B) of N.D.P.S. Act.

It is submitted that though it is alleged that the petitioner was carrying 8.5 KGs of ganja on a motorcycle, the forensic report with regard to the recovered items has not been received. It has also not known as to whether the seized items were sent for chemical examination or not. It is further submitted that the alleged recovery was not made from conscious possession of the petitioner.

However, a perusal of the seizure memo clearly reveals that the seizure was made in the presence of the petitioner and copy of the seizure list has been handed over to him.



Considering the aforesaid facts and circumstances of the case, I am not inclined to grant regular bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

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