

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16748 of 2018

Arising Out of PS.Case No. -152 Year- 2017 Thana -JAGDIHSPUR District- BHOJPUR

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Sarvjeet Kumar Son of Sri Ram Prabesh Ram Resident of Village-
Majhupur, P.S. Jagdishpur, District Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Sr. Adv.
Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 29-06-2018

Heard.

The petitioner seeks regular bail in connection with N.D.P.S. Case No. 21 of 2017 arising out of Jagdishpur P.S. Case No. 152 of 2017 for the offences punishable under Sections 21/22/24 Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 25(1-b)a, 26 Arms Act.

The allegation is regarding recovery of 30 puriya being 175 gm of Heroin (found to be Mono Acetyl Morphine by the FSL) from the Almirah at the poultry farm of the petitioner herein and the petitioner alongwith two other co-accused persons was arrested.

The learned senior counsel for the petitioner submits that as per the NDPS Act, 1985 the amount of Heroin recovered



from the petitioner's Poultry Farm is not a commercial quantity and moreover three persons including the petitioner herein were arrested from the spot, hence there is no impediment in grant of bail to the petitioner. It is further submitted that both the accused persons have been granted bail by this Court vide order dated 13.11.2017 passed in CrI. Misc. No. 43505 of 2017 and order dated 11.01.2018 passed in CrI. Misc. No. 59610 of 2017 respectively. The petitioner is languishing in custody since 10.06.2017.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount to the satisfaction of learned Sessions Judge, Bhojpur, Ara in connection with N.D.P.S. Case No. 21 of 2017 arising out of Jagdishpur P.S. Case No. 152 of 2017.

(Mohit Kumar Shah, J)

BTiwary/-Md Rashid

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