

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62651 of 2018

Arising Out of PS. Case No.-173 Year-2018 Thana- BAHADURPUR District- Patna

Rajnish Kumar, Son of Uday Yadav, @ Uday Kumar, resident of Kumhrar,
in front of Petrol Pump, Police Station- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-11-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Special Case No. 67/2018,
arising out of Bahadurpur P.S. Case No. 173/2018, instituted for
the offences under Sections 8(C) and 21(a) of NDPS Act.

It is alleged in the written report that during patrolling
duty the police intercepted a green colour scooty, on which two
persons were sitting. Out of them, one person managed to run
away. The apprehended person disclosed his name as petitioner.
From his possession 22 packets of smack were recovered.

Learned counsel for the petitioner has submitted that
seizure-list is part of F.I.R. which shows that nothing was
recovered from possession of this petitioner rather the smack
was recovered from the road near Middle School, Sandalpur



Village. It is further submitted that there was no compliance of Section 50 of NDPS Act. It has come in para 12 of case diary that co-accused Rahul Kumar is involved in the business of smack.

Petitioner is in custody since 06.07.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS Act, Patna in connection with Special Case No. 67/2018, arising out of Bahadurpur P.S. Case No. 173/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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