

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35997 of 2018

Arising Out of PS.Case No. -392 Year- 2017 Thana -PATORI District- SAMASTIPUR

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1. Pawan Kumar, S/o Pramod Sah, Resident of Village- Asharafpur Supaul,
P.S.- Patori, Shahpur Patori, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Patori P.S.

Case No. 392/2017, instituted for the offences punishable under

Sections 8, 20(B), 11(B) of the NDPS Act.

In the written report, it is alleged that police during

vehicle checking saw a person coming on motorcycle, who fell

down from the motorcycle and after getting up fled away in

darkness leaving the motorcycle. From the aforesaid motorcycle,

2kg 750gm *Ganja* was recovered. It is further alleged that the

Chaukidar and others have identified the petitioner fleeing away

leaving the motorcycle.

Learned counsel for the petitioner has submitted that



there is no recovery from conscious possession of this petitioner. The petitioner has clean antecedent. Seizure-list is enclosed with the F.I.R. which shows that the seizure-list has been made on the road. There is no any signature of the petitioner on the seizure-list. Chaukidar and other villagers have named the petitioner in this case.

Considering the aforesaid facts and circumstances of the case, provisional bail earlier granted to the petitioner by a Co-ordinate Bench of this Court vide order dated 04.07.2018 is hereby confirmed on same terms and conditions as mentioned in aforesaid order.

(Sanjay Priya, J.)

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