

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28054 of 2018

Arising Out of PS. Case No.-157 Year-2017 Thana- SULTANGANJ District- Patna

Md. Kallu, S/o Bechchu @ Firoj Mian @ Md. Firoj @ Md. Bachhu, R/o Abdul Bari Bhawan, Pani Tanki Ambedkar Colony, P.S.- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 09-05-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Special Case No. 100 of 2017 arising out of Sultanganj P.S.Case No. 157 of 2017 registered under Sections 401, 413 and 414/34 of the Indian penal Code and 20 and 22 of the N.D.P.S. Act.

Allegation in brief is that some thieves were caught by the police and on their information, house of the petitioner was raided by the police and his mother Madina Khatoon was found holding in her hand a packet containing smack weighing in total 13.190 gram and 33.850 gram Ganja and also some other items were recovered including mobile and cash and she disclosed that these items were handed over by her son, petitioner.

Learned counsel for the petitioner submits that recovery



of smack and Ganja is from conscious possession of Madina Khatoon, and the petitioner was not present there and he has only one criminal antecedent of Section 379 of IPC.

Having considered the aforesaid fact that recovery is from the conscious possession of Madina Khatoon and not from the petitioner, so petitioner, namely , Md. Kallu, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-III-cum-Special Judge, Patna in connection with Special Case No. 100 of 2017 arising out of Sultanganj P.S. Case No. 157 of 2017.

(Arun Kumar, J)

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