

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.6913 of 2018**

Arising Out of PS.Case No. -107 Year- 2017 Thana -MAINATAND District-  
WESTCHAMPARAN(BETTIAH)

=====

Azad Mian, Son of Noor Hoda Mian @ Nurahod Miya, Resident of Village-  
Kukura Maniyari, Police Station- Shikarpur, District- West Champaran.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No.7

For the Opposite Party/s : None

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN  
PRASAD  
ORAL ORDER**

2      20-02-2018                      Heard learned counsel for the petitioner. No one  
appears for the State.

The petitioner apprehends his arrest in connection  
with Mainatand P.S. Case No.107 of 2017 registered under  
Sections 20, 22, 23, 24, 27A and 29 of the N.D.P.S. Act and  
Section 414 of the Indian Penal Code.

Learned counsel for the petitioner referring to the  
fardbeyan recorded by the Sub-Inspector of Police, giving rise to  
the present case, submits that so far as this petitioner is concerned,



he was neither driving the motorcycle nor was riding the same and the police intercepted the persons driving and sitting on the motorcycle from whom two kilograms of Ganja is said to have been recovered. Learned counsel further submits that accused Rajmuddin Mian happens to be the own brother of son-in-law of this petitioner. The petitioner had purchased the motorcycle and had gifted the same to his son-in-law as it appears from the FIR that brother of son-in-law of petitioner was riding the motorcycle and the police intercepted him and seized the said two kilograms of Ganja. It is further submitted that so far as present petitioner is concerned, he has no criminal history and, therefore, he deserves privilege of anticipatory bail.

Considering the facts and circumstances of the case particularly that only allegation against the petitioner is that the motorcycle stands registered in his name, there is no allegation that he is found in possession of the Ganja in question and that he has no criminal history, in the event of his arrest/surrender before the court below within four weeks, let the above named petitioner be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, West Champaran, Bettiah, in connection with Mainatand P.S. Case No.107 of 2017,



subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Rajeev Ranjan Prasad, J)**

Arvind/-

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