

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8272 of 2019

Arising Out of PS. Case No.-19 Year-2018 Thana- MOHANIYA District- Bhabhua (Kaimur)

MUNNA @ FAIYAJ ANSARI Son of Late Abbash Ansari R/o village-
Mohania Ward no 7 P.S- Mohania District Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 11.8.2018 in a case registered for the offences punishable under Sections 21(b) of the NDPS Act.

The prosecution case as per the written report of Ganga Sagar Singh dated 10.1.2018 at 7.30 A.M., submitted to the SHO, Mohania Police Station is to the effect that the informant received a secret information that Munna alias Fiyaz (petitioner) is selling Heroin near Mohania bridge. Thereafter, a raid was laid when 56 gram Heroin was recovered.

It is submitted by learned counsel for the petitioner that though the recovery has not been made from the conscious physical possession of the petitioner but even assuming the recovery to be true, the said recovery of the contraband is



between small and commercial quantity. It is further submitted that the petitioner was accused in one other cases under the NDPS Act being, Mohania P.S. Case No. 138 of 2009 and the investigation in the present case has already been concluded.

Learned APP submits that recovery has been made from the possession of the petitioner.

Considering the recovery being between small and commercial quantity, the investigation being concluded and the period under custody, 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, Kaimur at Bhabua in connection with Mohania P.S. Case No.19 of 2018.

(Dinesh Kumar Singh, J)

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