

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68289 of 2019

Arising Out of PS. Case No.-179 Year-2019 Thana- KOTWALI District- Patna

Om Prakash Mallah, Son of Sri Kailash Mallah Resident of Village - Dakshin
Jamuhndar, P.S.- Hojai, District- Navgawan, Asam

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Verma, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 02.03.2019 in connection with Kotwali P.S. Case No. 179 of 2019, arising out of Special Case No. 30 of 2019 registered for the offence under Sections 18 (B),22(C),25 and 29 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that though the alleged recoveries are said to be made from the conscious possession of the petitioner actually the same were recovered from a common hall under the bed nos. 41, 42 and 43 and therefore it cannot be conclusively said that the petitioner was in possession of the same. It is further submitted that the other similarly situated co-accused persons from whom possession the said recovery has been made which is less than commercial



quantity have been granted the privilege of bail in Cr. Misc. No.43728 of 2019. It is further submitted that the petitioner has no criminal antecedent.

Considering the aforementioned facts and circumstances and that the petitioner has clean antecedent, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Session Judge-XX, Patna, in connection with Kotwali P.S. Case No.179 of 2019, Special Case No. 30 of 2019.

(Anjana Mishra, J)

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