

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62403 of 2019

Arising Out of PS. Case No.-70 Year-2019 Thana- AMAUR District- Purnia

MD. RAUF @ ABDUR RAUF Son of Abdul Rahman Resident of Village-
Belka, P.S.- Amour, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babita Kumari

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Amour P.S. Case No.70 of 2019 registered under Sections 8/20(b)
(c)/21(b)/25 of the N.D.P.S. Act besides Sections 18(c)/27(b)(ii) of
the Drugs and Cosmetic Act, 1940.

The accusation is that on receiving secret information
about doing the business of illicit liquor by Md. Shamim, Md. Nasim
and this petitioner in village-Belka, the informant along with other
police personnel reached there. In course of search of the joint house
of the aforesaid persons, when the informant along with other police
personnel reached in the southern room, 6-7 persons were seen
talking to each other. On seeing the police party, they started to flee
away but out of them, Niraj Kumar Mandal, Shamsher Ali and
Umesh Mandal were apprehended, who disclosed the name of the



persons, who succeeded to flee away as Md. Shamim, Md. Rauf (petitioner) and Md. Nasim alias Guddu. On search, from the room of Shamim, one sack containing 22 kilograms Ganja beneath the bed and 960 bottles, each containing 100 ml. ESKUF syrup, kept in another sack, were recovered.

Learned counsel for the petitioner submits that in course of search of the joint house, no incriminating article was recovered from the room of the petitioner rather the alleged Ganja and prohibited drugs were recovered from the room of Md. Shamim, the brother of the petitioner. The petitioner being the brother of Md. Shamim has falsely been implicated in this case. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, NDPS Act, Purnea, in connection with Amour P.S. Case No.70 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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