

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14093 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- CHAPRA RAIL P.S. District- Saran

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1. SHABU SALIM @ SHABU Son of Salim P.B. Resident of Village- Palaka Bada Pili House, East Palam, Palakat, P.S.- Otta Palam, District- Palakat (Kerala).
 2. Shahul Hamid Son of Kabir Resident of Village- Otta Palam Railway Station Road, P.S.- Otta Palam, District- Palakat (Kerala).
 3. Aabu Tahir Son of Kabir Resident of Village- Otta Palam Railway Station Road, P.S.- Otta Palam, District- Palakat (Kerala).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-07-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Rail Chapra P.S. Case no. 89 of 2020 registered under sections 120B of the Indian Penal Code, sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016 and sections 20 and 22 of the N.D.P.S. Act.

As per allegation in the FIR, on search of the three petitioners who were travelling in the train, it is stated that



different quantities of *ganja* between 100-125 grams each was seized and empty bottles of liquor was recovered. There was also some photographs of arms and ammunition in their mobile phones.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from possession of the petitioners who are in custody since 26.10.2020 and chargesheet has been submitted in the case.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioners having remained in custody for over 8 months, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Rail Chapra P.S. Case no. 89 of 2020 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions-cum-Special Judge, Saran at Chapra.

(Partha Sarthy, J)

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