

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28317 of 2021

Arising Out of PS. Case No.-732 Year-2020 Thana- SARAIYA District- Muzaffarpur

1. Babloo Kumar Singh, aged about 32 years, Gender-Male, S/o Nawal Kishor Singh, R/o Village Parshurampur, P.S Amnour, District Saran At Chapra.
2. Amitabh Kumar, aged about 27 years, Gender- Male, S/o Baijnath Sharma, R/o Village Parsa, P.S Parsa, District Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-09-2021 Heard learned counsel for the parties through virtual court proceedings.

Petitioners seek bail in a case registered for the offence punishable under Sections 414/34 of the Indian Penal Code as well as under Sections 20/22 of the N.D.P.S. Act.

Allegation against the petitioners is that 400 gms. of Opium was recovered from each of the petitioners.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioners. The said Opium was recovered from the vehicle in which the petitioners were also travelling.



Petitioners are in custody since 13.11.2020 and petitioners have got no criminal antecedent as stated in para 3 of the bail petition.

Learned APP for the State opposed the prayer for bail of the petitioners.

Considering the fact that contraband article has been recovered from the vehicle in which the petitioners were travelling, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioners is rejected in connection with Saraiya P.S. Case No.732 of 2020.

However, petitioners may renew their prayer for bail after six months.

(Anjani Kumar Sharan, J)

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