IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32130 of 2020

Arising Out of PS. Case No.-53 Year-2020 Thana- PURNEA SADAR District- Purnia

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MOOR SALIM Son of Abdul Rahman, Resident of Imlitola Sanjha, P.S. - Mansahi, District - Katihar.

... ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sarveshwar Tiwary, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 04-01-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner is in custody since 04.02.2020 in connection with Special Case No. 02/2020/CIS No. 02/2020 arising out of Purnea Sadar P.S. Case No. 53 of 2020 for the alleged offences under Sections 8, 21, 22 of the N.D.P.S. Act.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of a total of 490 grams of brown sugar from three persons including the petitioner, out of which 100 grams are said to have been recovered from the petitioner. The petitioner claims clean antecedents and has already suffered about 11 months in custody.

4. Learned APP appears and opposes the bail petition submitting that total quantity recovered from three persons far exceeds 250 grams and hence constitutes commercial quantity.

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5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of bail to the petitioner. The petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

Chandran/- **(Vikash Jain, J)**

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