

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67120 of 2021

Arising Out of PS. Case No.-394 Year-2021 Thana- PHULWARISHARIF District- Patna

RAHUL KUMAR Son of Sri Ramautar Paswan Resident of Village -
Chuharmal Nagar, P.S.- Phulwarisharif, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the
offence under Sections 20 / 22 of the N.D.P.S. Act.

As per prosecution case, seven *puriya* of *Smack* has
been recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that nothing has
been recovered from the possession of the petitioner. Mandatory
provision with regard to search and seizure has not been
followed. It is further submitted that in this case, charge has
already been framed on 29.10.2021. Petitioner is in custody
since 02.05.2021, having no criminal antecedent.

However, learned A.P.P. for the State has opposed the
bail petition.

Considering the period of custody and progress of the
trial, the bail petition of petitioner is allowed. Let the above



named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – XVI, Patna in connection with Special Case No. 44 of 2021, arising out of Phulwarisharif P.S. Case No. 394 of 2021.

(Prabhat Kumar Singh, J)

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