

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64478 of 2023

Arising Out of PS. Case No.-433 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

BABUJAN MIAN SON OF ISLAM MIAN @ ISALAM MIYA RESIDENT
OF VILLAGE- AHINAURA, PS- MOHANIA, DISTT- KAIMUR
(BHABUA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pathak

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned Additional Public Prosecutor for the State.

2. The petitioner is in custody since 28.06.2023 in connection with Mohania P.S. Case No. 433 of 2023 registered for the offence punishable under Sections 414 of the Indian Penal Code and Section 8(C)/20(b)(ii)(B)/29 of the N.D.P.S. Act.

3. There is recovery of 1.889 Kg. of *Ganja* and 27 pieces of bottles of illicit liquor.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case only with a view to harass him. He further submits that nothing incriminating has been recovered from the conscious possession



of the petitioner. It is further submitted that provisions under Section 50 of the N.D.P.S. Act has not been followed.

5. Considering the recovery of intermittent quantity of ‘*Ganja*’ and illicit liquor and taking into consideration the period of custody, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions judge-cum-Special Judge, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 433 of 2023.

6. The petitioner will mark his attendance in the Mohania Police Station on every first Sunday of the month.

(Sandeep Kumar, J)

Saif/-

U		T	
---	--	---	--

