

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1658 of 2024

Arising Out of PS. Case No.-673 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Munif Dewan S/O Khalil Dewan R/O Village- Jhakhia, Ward No. 9, P.S-
Banjariya (TURKAULIYA), Distt.- East Champaran At Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Rita Verma

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 17-02-2024 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Turkauliya (Banjariya) P.S Case No. 673 of

2023, dated 10.06.2023, registered for the offences punishable

under Sections 8/20 (b) (ii) (c), 23, 25 of the N.D.P.S. Act.

4. As per the prosecution case, 60 Kg. Ganja was

recovered from the house of the co-accused Sheikh

Kamaluddin.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has three criminal antecedents of similar nature out of which one case is related to N.D.P.S. in all cases, he is on bail. The name of the petitioner has been transpired on the basis of confessional statement of apprehended co-accused namely Sheikh Kalamuddin. The petitioner has neither apprehended on the spot nor any incriminating material has been recovered from the conscious possession of the petitioner, hence no case is made out against the petitioner. The recovery was made from the house of the co-accused which is of commercial quantity.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Turkauliya (Banjariya) P.S Case No. 673 of 2023, subject to conditions as laid down under



Section 438(2) of the Code of Criminal Procedure with further condition:

(i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds is liable to be cancelled.

8. This application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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