

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42875 of 2014

Arising Out of PS.Case No. -26 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

Bharat Singh Son of Rama Shankar Singh R/o village Balihar, P.S. Simari,
District Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 04-03-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
23.07.2014 in a case registered for the offences punishable under
Sections 279/307/34 of the Indian Penal Code and 27(A)/29 of the
NDPS Act.

On information that in two vehicles Ganja
and country made liquor are being transported to State of UP. The
police chased but the accused entered into territory of U.P. then
the police requested for help to UP police (Narhi police station),



consequently Narhi police intercepted Alto and Bolero vehicles. From the Alto car 40 kgs. of Ganja and 900 sachets of country made liquor were seized and two persons namely, namely Ashutosh Kumar Gupta and Bhim Kumar Yadav were apprehended, from the Bolero vehicle 60 kgs. of Ganja and 600 sachets of country made liquor were seized and Kapil Chaurasia and Ram Bilash yadav were apprehended. Consequently Narhi police registered case against four apprehended accused. Subsequently the Buxar police registered the present FIR with improvement in prosecution case that apprehended accused suggested that they purchased the seized contraband from the petitioner.

It is submitted by learned counsel for the petitioner that the police in the State of Bihar subsequently developed the story as actual seizure was made by Narhi police and consequently Narhi P.S. Case No. 43 of 2014 was registered against the four apprehended accused persons, but the petitioner was not named in the Narhi P.S. Case No. 43 of 2014 and admittedly except the confession of the co-accused there is nothing against the petitioner.

Considering the aforesaid facts, let the above named petitioner, 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, Buxar in connection with N.D.P.S. Case No. 02 of 2014 arising out of Buxar (Industrial) P.S. Case No. 26 of 2014.

Considering the criminal antecedent of the petitioner, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he substantially gets involved in some serious nature of the offence or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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