

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40886 of 2015

Arising Out of PS.Case No. -40 Year- 2010 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Dukhi Sah Son of Late Harihar Sah Resident of Village - Ekderwa Haraiya,
P.S. - Raxaul (Haraiya O.P.), District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shakti Suman Kumar

For the Opposite Party : Mr. Gopesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-10-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 04.09.2012 in
a case instituted under Sections 20, 22 and 23 of the NDPS Act.

As per allegation, it is a case of some narcotic drugs
from the possession of the accused persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 04.09.2012. Chargesheet has
been submitted in the case. Petitioner has got no criminal
antecedent. There is no allegation of tampering of evidence
against the petitioner. From the joint possession of the petitioner
and the co-accused Firoz Khan ten K.G. of charas is said to have
been recovered though the petitioner has not been apprehended on

the spot. He has falsely been implicated in the present case. The other co-accused has been granted bail by this Court in Cr.Misc.No.34982 of 2013.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, 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 Ist Additional Sessions Judge-cum-Special Judge, Motihari in connection with NDPS Case No.15 of 2010 arising out of Raxaul (Haraiya O.P.) P.S.Case No.40 of 2010, subject to the condition that the petitioner shall attend Raxaul (Haraiya O.P.) Police Station between 10 A.M. and 11 A.M. on first and third Sunday of every month during the pendency of the case. If he fails to attend the Police Station concerned, his bail shall stand cancelled and he shall be liable to be arrested.

(Sudhir Singh, J)

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