

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55606 of 2015

Arising Out of PS.Case No. -60 Year- 2015 Thana -SILAO District- NALANDA
(BIHARSHARIFF)

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Md. Arkam @ Akram @ Sheru @ Md. Akram son of Md. Mustak resident
of village - Khari Kuan Silao, P.S. Silao, District - Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Chandra, Advocate.

For the Opposite Party : Mr. Madhura Nand Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 14-03-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 20 and 23 of the N.D.P.S. Act.

Allegedly, from possession of the petitioner 15 kgs. of
ganja like substance was recovered and from possession of co-
accused Md. Iliyas 10 kgs of ganja like substance was recovered.

Submission is of false implication and that the
petitioner has got no criminal antecedent and he is in custody since
11.05.2015, charge sheet has already been submitted in this case,
there is no allegation of tampering with the prosecution evidence,
the recovered substance does not come under the purview of the

commercial quantity, no compliance of section 50 of the N.D.P.S. Act was made and as such the petitioner deserves sympathetic consideration as co-accused Md. Iliyas has already been allowed bail vide order dated 17.12.2015 passed in Cr. Misc. No. 42963 of 2015 by another coordinate Bench of this Court.

The learned A.P.P. submits that the petitioner was caught with ganja.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to 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 1st Additional Sessions Judge- Cum- Special Judge, Nalanda at Biharsharif in Silao P.S. Case No. 60 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

Abhay/-

(Jitendra Mohan Sharma, J)

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