

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28826 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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Feku Rai Son of Maheshwar Rai, resident of Village- Badka Gaun, P.S-
Pakarideyal, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

3 27-07-2016

Heard learned counsel for the parties.

The petitioner is languishing in custody since 14.5.2016
in a case registered for the offences punishable under section 20(b)
of the N.D.P.S.Act.

Prosecution case is that 10 gram and 2 gram of Ganja was
recovered from the petitioner and the co-accused Vikash Kumar
Singh, who were apprehended. Co-accused Mahesh Kumar
escaped from the scene.

It is submitted by the learned counsel for the petitioner
that prosecution report at Page-8 reflects that recovery has been
made from the pocket of co-accused Vikash Kumar Singh,
whereas the seizure list reflects that the recovery was also made
from the pocket of the petitioner, who has been made as accused

No.2. It is further submitted by the learned counsel for the petitioner that even assuming the entire recovery, the same is of 12 gram of Ganja alongwith 160/- rupees cash, which is a small quantity. Statement has been made in paragraph 3 of this petition that the petitioner has no criminal antecedent.

Learned counsel for the State has not controverted recovery of small quantity of Ganja.

Considering the aforesaid facts, let the petitioner, abovenamed, 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 the 3rd Addl. Sessions Judge/ Special Judge, East Champaran at Motihari in N.D.P.S.Case No. 26/2016 arising out of Prosecution Report No. 8/2016.

The bail bonds of the petitioner shall be accepted by the learned court below on filing affidavit that he will regularly co-operate in the investigation. Non-cooperation in the investigation or in case of default in appearing in court for two consecutive occasions or getting substantially involved in similar nature of offence will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

Surendra/-

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