

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28787 of 2016

Arising Out of PS.Case No. -16 Year- 2015 Thana -KATIHAR GRP CASE District- KATIHAR

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1. Md. Jahangir @ Jahangir Alam S/o Ali Hussain R/o Kariyabhitha, P.S.
Kurlikot, Distt. - Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-08-2016

The petitioner is languishing in custody since 23.07.2015 in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 8, 20, 22 of the N.D.P.S. Act.

The prosecution case is that the informant constituted a raiding team to make search in a train since one passenger was robbed on 20.07.2015 after administering some intoxicant. During raid the petitioner and co-accused Kaishar Alam started fleeing away but they were apprehended. From the possession of the petitioner 27 Ativan tablets were recovered.

It is submitted by learned counsel for the petitioner that there is no accusation that petitioner was administering ativan tablets to any passenger. It is further submitted that even assuming the accusation the psychotropic

substance in 27 tablets will not be in any way more than the small quantity. Moreover the investigation has already concluded.

A statement has been made in para 3 of the petition that petitioner is accused in one other case. It is submitted that in the earlier case the petitioner is on bail though statement to that effect has not been made in the petition.

Considering the nature of recovery, let the petitioner, above named, 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 Additional District Judge-II, Katihar in connection with Kishanganj Rail P.S. Case No. 16 of 2015, G.R. No. 49 of 2015.

Let learned Court below cancel the bail bonds of the petitioner, if the petitioner gets substantially involved in similar nature of offence or defaults for three consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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