

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18416 of 2017

Arising Out of PS.Case No. -47 Year- 2016 Thana -PATNA GRP CASE District- PATNA

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Laxman Patel Son of Late Mukurdhan Patel, Resident of Village/Mohalla-
Manglapur, Police Station- Sangrampur, District- Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Adv.

For the Opposite Party/s : Sri Dashrath Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 23-05-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Special
(N.D.P.S.) Case No. 13 of 2016, arising out of Patna Junction
(Rajendra Nagar Terminal) P.S. Case No. 47 of 2016 registered
for the offence punishable under sections 328, 379, 411/34 of the
Indian Penal Code and later on, section 307 of the Indian Penal
Code and sections 8 and 22 of the N.D.P.S. Act have been added .

Allegedly the petitioner was apprehended when he
was trying to steal belongings of one passenger, who was
unconscious and the petitioner confessed his guilt and stated the
name of one co-accused, who has succeeded in fleeing away.
From the possession of the petitioner, mobile, 25 Ativan tablets of



1 mg., power of Ativan tablet, blade, cash of rupees seven hundred, etc. were recovered.

Submission is of false implication and that the petitioner is in custody since 04.03.2016. The petitioner has been made victim in the circumstances, nothing was recovered from conscious possession of the petitioner. Recovered Ativan tables come under the purview of small quantity. The petitioner confessed his guilt before the Police which has got no evidentiary value in the eye of law. The petitioner by remaining in custody is sufficiently penalized and now he deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Patna in connection with Special (N.D.P.S.) Case No. 13 of 2016, arising out of Patna Junction (Rajendra Nagar Terminal) P.S. Case No. 47 of 2016, 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.

(Jitendra Mohan Sharma, J)

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