

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35541 of 2017

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1. Guddu Kumar Singh, son of Ramanuj Kumar, the resident of Village-
Sabalpur, P.S.- Panjwara, Distt- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Rajendra Nath Jha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 03.12.2016 in
connection with N.D.P.S. Case (G.R.) No. 4111/16, arising out of
Kahalgoan P.S. Case No. 431/16 for offences punishable under
Sections 20/22 of the N.D.P.S. Act.

The prosecution case, as lodged by the police
personnel, is that during course of investigation of another case,
the house of one Divyanshu Jha @ Sonu Jha was raided and three
persons including the petitioner were apprehended. From the bed
of a room ½ kg ganja was recovered.

It has been submitted by the learned counsel for the
petitioner that he is innocent, has been falsely implicated in the
aforesaid case and nothing has been recovered from his conscious



possession. He submits that another accused, apprehended along with the petitioner, has since been granted privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 5172 of 2017 on 15.02.2017 and considering the period of custody a sympathetic considering be given.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 1st Addl. District and Sessions Judge, Bhagalpur, in connection with N.D.P.S. Case (G.R.) No. 4111/16, arising out of Kahalgoan P.S. Case No. 431/16, subject to the following conditions :

- (i) One of the bailors shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for



cancellation of his bail.

It is also made clear if the petitioner again found involved in any of the like, his bail bonds will be cancelled.

(Nilu Agrawal, J)

Rajesh/-

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