

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55146 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -CHUTIA SAHAYAK District- SASARAM
(ROHTAS)

=====

1. Rishi Kumar Choubey @ Rishi Choubey S/o Surendra Nath Choubey R/o
Village - Panduka, P.S. - Chutiya, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh

For the Opposite Party/s : Mr. Shyameshwar Dayal

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-12-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with Chutiya

P.S. Case No. 48/17, N.D.P.S. Case No. 20/17 for offences

punishable under Sections 20/21 of the N.D.P.S. Act.

The prosecution case, as lodged by the police

personnel, is that on patrolling duty and on information, the

house of the petitioner was searched and 350 gms of ganja

was found wrapped in plastic in the house. Accordingly, a

seizure-list was prepared.

It has been submitted by the learned counsel for

the petitioner that he is innocent, bears no criminal



antecedent and nothing has been recovered from his conscious possession. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 31.08.2017. He further submits that seizure-list has not been prepared in accordance with Section 100 Cr.P.C.

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 Sessions Judge, Rohtas at Sasaram, in connection with Chutiya P.S. Case No. 48/17, N.D.P.S. Case No. 20/17, subject to the conditions that :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty



to move the court below for cancellation of his
bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

