

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49896 of 2016

Arising Out of PS.Case No. -322 Year- 2016 Thana -BARACHATTI District- GAYA

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1. Salman Khan S/o Amees Khan, R/o Takiya Chandshah and P.S. Murail
Mohalla Chowki Kotwali, District Fatehpur, Uttar Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal

For the Opposite Party/s : Mr. Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-01-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 20.08.2016 in connection with Barachatty P.S. Case No. 322 of 2016 (G.R. No. 1367 of 2016) registered for offences punishable under Section 20, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

It has been submitted on behalf of the petitioner that the from perusal of the seizure list, which is annexed to this petition, it is very much clear that nothing has been recovered from the conscious possession of the petitioner. Petitioner has been falsely implicated in this case alleging the he was escorting the vehicle from which alleged *Ganja* has been recovered. Petitioner has been languishing in judicial custody since 20.08.2016 without any offence.



Learned A.P.P. for the State also could not controvert the aforesaid fact.

Having heard both sides, in view of the fact that there is no recovery from conscious possession of the petitioner and he has been in judicial custody for about five months, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 40,000 (Rs. Forty Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Gaya, in connection with Barachatty P.S. Case No. 322 of 2016 (G.R. No. 1367 of 2016) with the condition that one of the bailors of the petitioner shall be a local one, having sufficient means within the jurisdiction of the concerned court and the petitioner shall cooperate in the disposal of trial and make himself available before the court as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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