

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1944 of 2017

Arising Out of PS.Case No. -397 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

- =====
1. Pramod Kumar, Son of Sri Ram Dev Singh @ Rajdeo Singh, Resident of Village Manjhauli, P.S. Bihiya, District-Bhojpur.
 2. Upendra Kumar Choubey @ Upendra Kumar, Son of Late Babban Choubey, Resident of Village- Manjhauli, P.S. Bihiya, District-Bhojpur.
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-01-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with SPL (NDPS) Case No. 03 of 2016, corresponding to G.O Case No. 397 of 2016, registered under Section 20(b) of the NDPS Act.

The accusation is that in course of checking of the bus bearing Reg. No. BR21E-0265, both the petitioners were found sitting in the said bus and three bags containing 14 Kg, 10 Kg and 6 Kg, respectively, Ganja recovered beneath the seat of the petitioners.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that the alleged Ganja is said to be recovered beneath the seat on which the petitioner were sitting, but the said ganja was not recovered from the conscious



possession of the petitioners. Further submission is that both the petitioners, who were traveling on the bus have falsely been implicated mere on suspicion in this case. The petitioners have no criminal antecedent is in custody since 30.08.2016.

Having regard to the facts and the circumstances of the case, the petitioners, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the 1st Addl. Sessions Judge, Nawada in connection with SPL (NDPS) Case No. 03 of 2016 corresponding to GO Case No. 397 of 2016. Out of two sureties, one surety must be the parents/close relative of the petitioners, who will file an affidavit showing his relation with the petitioners and further the petitioners shall remain present on each and every date during the course of the trial in the court below. If the petitioners fail to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of their bail bonds.

(Rajendra Kumar Mishra, J)

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