

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18723 of 2017

Arising Out of PS.Case No. -327 Year- 2016 Thana -BARACHATTI District- GAYA

Vijay Kumar, son of Vishwanath Ray, Resident of Village- Rampur,
Shyamchanda, P.S.- Raghobpur, P.O.- Rampur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Y. V. Giri, Sr. Advocate

Mr. Ashish Giri

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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

ORAL ORDER

2 15-05-2017 Heard learned Sr. Counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Barachatti P.S.
Case No. 327 of 2016 registered for the offences punishable under
Sections 20, 22 and 29 of Narcotic Drugs and Psychotropic Substances
Act.

Allegedly, the petitioner was apprehended from a blue colour
Wagaon R vehicle bearing registration no. JH08C-0275 and from one
white colour Bolero pick-up-van bearing registration no. OD-07M-6225
two co-accused were apprehended and from that Bolero pick-up-van
150 packets of Ganja total 300 kg. was recovered.

Submission is of false implication and that the petitioner has
got no concern with the said Bolero vehicle nor he has got any
connection with those co-accused who were in Bolero vehicle, from the
vehicle of the petitioner nothing was recovered, vehicle of the petitioner



was not having Ganja but in spite of that the petitioner has also been implicated in this case, resulting, he is suffering in custody since 24.08.2016.

Learned APP submits that the petitioner was escorting the Bolero vehicle and after seeing the Police party the petitioner tried to flee away but was caught. The petitioner has also confessed his guilt vide paragraph 12 of the case diary.

In the facts and circumstances stated above, considering that nothing has been recovered from the vehicle of the petitioner, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII, Gaya in N.D.P.S. Case No. 02 of 2017 arising out of Barachatti P.S. Case No. 327 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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