

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28492 of 2017

Arising Out of PS.Case No. -83 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Vijay Kumar Rai Son of Late Muneshwar Rai, Resident of Village-
Kutubpur Kali Sthan, P.S.- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ramchandra Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 02-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 15.03.2017 in
connection with Bidupur P.S. Case No. 83/2017 for offences
punishable under Sections 8/20(b)(ii)(c) of the N.D.P.S. Act.

The prosecution case, as lodged by the police
personnel, is that on a secret tip off that one person is carrying
ganja, the petitioner was apprehended and from his possession 13
kgs and 100 gms ganja was recovered, which was sent to the FSL
for chemical examination, and, 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 has no concern with the alleged recovered ganja as nothing was found from his conscious possession and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

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 completion of six months in jail custody 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 cum Special Judge, N.D.P.S., Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 83/2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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