

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26827 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -TATARPUR District- BHAGALPUR

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Md. Afroz son of Md. Iqbal Painter, resident of Mohalla- Kilaghat
Sarai, P.S.- Tatarpur, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with Tatarpur P.S.Case No.63 of 2017, registered for offences punishable under Section 22 of N.D.P.S. Act.

Allegation against the petitioner is of recovery of 100 gram of Ganja from the ‘*Gumati*’ of the petitioner.

Submission of the learned counsel for the petitioner is that nothing has been recovered from the conscious possession of the petitioner and he has clean antecedent. The petitioner has remained in custody for about 2 ½ months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty



Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhagalpur in connection with Tatarpur P.S.Case No.63 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.
- (iv) In future, if his active participation is found in similar type of cases, his bail bond shall automatically be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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