

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33574 of 2017

Arising Out of PS.Case No. -5 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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Manoj Paswan @ Karu Son of ganauri Paswan, Resident of Salarpur, P.S.
Karpi, District-Arwal.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Union Of India through Director, DRI (Regional Unit Patna)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shraddhanand Paswan, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP
For the Union of India : Mr. Anjani Kr. Sharan, ASG
Mr. Manoj Kumar Singh, CGC

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

9 18-12-2017 Heard learned counsel for the petitioner, learned

counsel appearing on behalf of the Union of India and the learned

APP for the State.

Petitioner seeks bail in connection with Special Case
No. 55 of 2016 arising out of FN. NCB/PZU/V/05/2016 registered
for offences punishable under Sections 8 and 20 of the NDPS Act.

The prosecution case, as lodged by the informant, who
is Intelligence Officer, Patna Zonal Unit Narcotic Control Bureau,
is that he apprehended four persons in Indigo car carrying 80.200
kilograms of ganja, which was sent for chemical examination.

It has been submitted by the learned counsel for the



petitioner that he was just a driver of the said vehicle and he did not know that the Indigo car was carrying ganja in the dicky. He submits that nothing has been recovered from his conscious possession and that he is languishing in judicial custody since 06.08.2016.

However, learned counsel for the Union of India opposes the prayer for bail and by filing a counter affidavit states that charges will be framed within one month and all the prosecution witnesses will be examined within another six months.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Patna in connection with Special Case No. 55 of 2016 arising out of FN. NCB/PZU/V/05/2016, subject to the following conditions:

- (1) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.



(2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) If petitioner indulges in an offence of similar nature, in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(4) The petitioner will appear before the concerned police station in the first week of every month till certificate of good conduct is given by the Superintendent of Police of the concerned district.

(Nilu Agrawal, J.)

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