

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40434 of 2017

Arising Out of PS.Case No. -145 Year- 2017 Thana -BENIPATTI District- MADHUBANI

=====

Sohan Ram @ Mohan Ram Son of Mahendra Ram, Resident of Village-
Sansar Pokhar Benipatti, Police Station-Benipatti, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Adv.

For the Opposite Party/s : Mr. Sri Ram Bachan Singh, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Benipatti P.S.
Case No. 145 of 2017 for offences punishable under Sections
20, 22 and 24 of the Narcotic Drugs and Psychotropic
Substances, Act.

The prosecution case, as lodged by the police
personnel, is that on information raid was conducted in a betel
shop and from the shop 950 grams of Ganja and 51 pieces of
cigarette filled with Ganja were recovered. Accordingly, a
seizure list was prepared. In the shop one Rahul Kumar was
found who confessed that he along with his brother-in-law (the
petitioner) were engaged in selling of Ganja.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has not been arrested on the spot. In fact, the confession made by the apprehended Rahul Kumar before the police has no evidentiary value in the eye of law. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that he is in judicial custody since 27.06.2017.

However, learned APP for the State opposes the prayer for bail stating therein that Ganja was recovered from the betel shop allegedly belonged to the petitioner and other co-accused.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in 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, Madhubani in connection with Benipatti P.S. Case No.145 of 2017, subject to the condition that both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner and that if the 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.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

