

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44624 of 2017

Arising Out of PS.Case No. -135 Year- 2017 Thana -JAKKANPUR District- PATNA

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Md. Aslam Son of Zafar Ahmad, R/o Kali Bazar, Ward No. 13, Araria, P.S.
& District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 13-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Special Case
No. 69 of 2017 arising out of Jakkanpur P.S. Case No. 135 of
2017 for offences punishable under Sections 274, 275, 276, 419,
420, 467,468, 120B of the Indian Penal Code and Sections 27(b)
(ii), 27 (d)/28/28A and 22 (b) of N.D.P.S. Act.

The prosecution case, as lodged by the Drug Inspector,
Patna by giving a written report to the S.H.O., Jakkanpur police
station, is that the petitioner was apprehended with four bags
containing codein syrup and Nitrozepran tablets which comes
under N.D.P.S. Act who disclosed that he was bringing the same
from Banaras for selling it to two shop owners.



It has been submitted by the learned counsel for the petitioner that he is innocent, the said bags of medicines does not come under the Drugs and Psychotropic Substance Act and nothing has been recovered from his conscious possession but these medicines were found abandoned and the petitioner has falsely been implicated. He submits that he has no criminal history and is languishing in judicial custody since 17.05.2017.

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 furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1, Patna in connection with Special Case No. 69 of 2017 arising out of Jakkanpur P.S. Case No. 135 of 2017, subject to the conditions that:

- (1) The petitioner will appear before the concerned police station in the first week of every month till six months.
- (2) 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 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)

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