

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46973 of 2017

Arising Out of PS.Case No. -239 Year- 2016 Thana -KISHUNPUR District- SUPAUL

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1. Kundan Singh @ Kundan Kumar Singh @ Kunj Singh Son of Sita Ram Singh Resident of Village - Gautam Nagar Gangjala Panchwati Chowk, P.S - Town, District : Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with Special Case No.13 of 2016 arising out of Kishanpur P.S.Case No.239 of 2016 registered for offences punishable under Sections 20 and 22 of N.D.P.S. Act.

Allegation against the petitioner, as per FIR, is of recovery of 26 kg. *ganja* from the co-accused and only on the basis of confession, the petitioner has been made accused in this case.

Submission of the learned counsel for the petitioner is that there is no recovery from the possession of the petitioner and only on the basis of confession, the petitioner has been named in this case and he was not accused in any similar type of case



earlier. Further submission is that he is in custody for more than two 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 Sessions Judge, Supaul in connection with Special Case no.13 of 2016 arising out of Kishanpur P.S.Case No.239 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidences.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court concerned and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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