

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5183 of 2017

Arising Out of PS.Case No. -195 Year- 2016 Thana -DARBHANGA District- DARBHANGA

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1. Md. Prince @ Md. Ejaz, S/o Md. Akhtar, resident of village - Urdu Nime
Chauck, Police Station - Laheriasarai, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Verma, Advocate

For the Opposite Party/s : Mr. Chandrasen Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with G.O.
Case No. 21 of 2016, arising out of town P.S. Case No. 195 of
2016 registered for the offences punishable under Sections 21(b)
(C)/22(b) (C) N.D.P.S. Act and 22(3), 27(b) (ii)/28/28(b) and
26/AC Drug and cosmetic Act, 1940 Amendment 2008.

Allegedly, huge quantity of different tablets and
syrup which was used for intoxicant have been recovered from
possession of the petitioner, for which he did not produce any
paper before the police.

Submission is of false implication and that nothing
has been recovered from conscious possession of the petitioner.
As a matter of fact, the police arrested the petitioner and forcibly



obtained signature of a blank paper and converted the same into seizure list. The petitioner has got no criminal antecedent and he is suffering in custody since 24.10.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the custody of the petitioner, now the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with G.O. Case No. 21 of 2016, arising out of town P.S. Case No. 195 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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