

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36597 of 2017

Arising Out of PS.Case No. -145 Year- 2015 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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Ashok Chaudhary @ Ashok Kr. Choudhary @ Ashok Kumar @ Ashok
Samrat Son of Late Nageshwar Chaudhary, R/o Village- Pirapur, P.S.-
Jandaha, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
25.01.2017 in connection with Jandaha P.S. Case No. 145 of 2015
registered for the offence punishable under Sections 21 and 22 of
the N.D.P.S. Act.

The prosecution case, as lodged by the police
personnel, is that on information, Bolero car of the co-accused was
intercepted and from the vehicle 44 Kilograms of ganja was
recovered. Petitioner was driving a motorcycle, but he managed to
flee away and on confessional statement of co-accused, Dilip
Kumar Singh, he has been made accused.



It has been submitted by the learned counsel for the petitioner that he is innocent and nothing has been recovered from his conscious possession. He submits that co-accused Dilip Kumar Singh and Sanjay Kumar, who were in the Bolero car from which ganja was recovered, have been granted the privilege of bail by the learned Court below itself. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and two cases under the Arms Act are pending against him.

Considering the facts and circumstances and the materials on record, let the 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 the learned 1st Additional District and Sessions Judge-cum-Special Judge, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 145 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner and that if, in future, petitioner indulges in a similar nature of offence, the



prosecution will be at liberty to move before the learned Court
below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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