

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43505 of 2017

Arising Out of PS.Case No. -152 Year- 2017 Thana -JAGDIHSPUR District- BHOJPUR

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1. Ankush Kumar Son of Late Ram Pratap Ram, resident of Village-
Majhupur, P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with N.D.P.S. Case
No. 21/17, arising out of Jagdishpur P.S. Case No. 152/17 for
offences punishable under Sections 21/22/24 of the Narcotic
Drugs and Psychotropic Substances Act, 1985 and Section 25(1-
B) A, 26 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on information that co-accused Sarbjeet Kumar
is dealing in Heroin from his poultry farm, the police conducted a
raid and seized 170 gms of Heroin like substance along with some
arms and ammunitions and mobiles. Cash of Rs. 3,90,000.00 was



also recovered from the almirah where all such incriminating articles were found. In the room the petitioner along with one another co-accused Amarjeet Kumar was present.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case only on the basis of suspicion. He submits that the poultry farm did not belong to him and he was a mere customer and has been roped in the aforesaid offence. He further submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and he is languishing in judicial custody since 10.06.2017.

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 Sessions Judge, Bhojpur at Ara, in connection with N.D.P.S. Case No. 21/17, arising out of Jagdishpur P.S. Case No. 152/17, subject to the conditions that :



- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) 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.

(Nilu Agrawal, J)

Rajesh/-

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