

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2736 of 2018

Arising Out of PS.Case No. -283 Year- 2017 Thana -DINARA District- SASARAM (ROHTAS)

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1. Saddam Hussain @ Kalu Ansari, Son of Pir Mohammad Ansari,
resident of village: Dinara, P.S.: Dinara, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 18-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Dinara Police Station Case No. 283 of 2017 registered for offences under sections 21, 22 and 23 of the Narcotic Drugs and Psychotropic Substance Act.

The petitioner and two others were apprehended by the police while they were smoking in a hut. The apprehended persons were searched and from the possession of this petitioner, 38 gram opium was recovered. The police further seized 4 gram heroin from other co-accused.

It has been submitted that the petitioner was apprehended by the police merely on suspicion and nothing has



been recovered from his possession. He further submits that the alleged recovery is bit excess to the small quantity for which the petitioner remained in custody for three months. The petitioner has clean antecedent.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Rohtas at Sasaram in connection with Dinara Police Station Case No. 283 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.
- (iv) If the petitioner is found involved in similar type of offence in future, the prosecution will have liberty to move for cancellation of his bail.

Mahesh/-

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(Sanjay Kumar, J)

