

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26950 of 2018

Arising Out of PS. Case No.-9 Year-2017 Thana- BEGUSARAI RAIL P.S. District-
Begusarai

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Satyendra Kumar S/o Late Amir Singh Resident of Village - Berauti, P.S. -
Deep Nagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Arbind Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-06-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

This is the third round of litigation. The petitioner had earlier moved for bail in Cr. Misc. No. 46962 of 2017, which was dismissed as withdrawn vide order dated 17.10.2017 and Cr. Misc. No. 55090 of 2017, which was rejected vide order dated 24.01.2018. Petitioner is languishing in judicial custody since 23.04.2017 in connection with Begusarai Rail P.S. Case No. 09 of 2017 registered for the offence punishable under Sections 20 and 22 of the N.D.P.S. Act.

The prosecution case, as lodged by the railway police personnel, is that while checking the petitioner, he was found in possession of 20.300 kilograms of ganja. Accordingly,



a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated. He submits that due to high handedness of the police, who obtained signature of the petitioner on the plain paper that he has been made accused in the present case. He submits that charges have already been framed on 22.05.2018 and the petitioner is ready to cooperate in the trial and would not tamper with the evidence or witnesses.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances, the period of custody and that charges have already been framed, let the petitioner, named above, 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 Additional Sessions Judge 1st -cum- Special Judge, N.D.P.S. Act, Begusarai in connection with Begusarai Rail P.S. Case No. 09 of 2017, subject to the conditions that:

- (1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an



affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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