

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28094 of 2018

Arising Out of PS. Case No.-3 Year-2018 Thana- RUPASPUR District- Patna

Tun Tun Paswan @ Lal Bada Shah @ Raju Paswan son of Ram Babu Paswan
Resident of Mohalla Rukunpura Mushahari P.S. Rupaspur, District Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Special Case
No. 10 of 2018, arising out of Rupaspur P.S. Case No. 03 of
2018 for offences punishable under Sections 20/22 of the
N.D.P.S. Act.

The prosecution case, as lodged by the informant
police personnel, is that on information that the petitioner is
dealing in ganja, his tenanted premises was raided and one
Shishu Paswan was apprehended with 700 ml of ganja.
Thereafter on his confession the tenanted premises of the
petitioner was raided and from the room 1 kg ganja was
recovered and, accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history in relation to the present case, although one case under the Excise Act is pending against him. He submits that nothing has been recovered from his conscious possession and he is languishing in judicial custody since 20.02.2018.

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 completion of six months in custody 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/ Special Judge (N.D.P.S.), Patna, in connection with Special Case No. 10 of 2018, arising out of Rupaspur P.S. Case No. 03 of 2018, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to



move the learned court below for cancellation of his
bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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