

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40852 of 2018

Arising Out of PS. Case No.-203 Year-2018 Thana- BETTIAH CITY District- West
Champaran

=====

Arun Singh S/o Lachuman Singh, R/o Vill.- Afzalpur, P.S.- Belsar O.P., Distt.-
Viashali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Rajendra Prasad Nat

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
20.03.2018 in connection with Bettiah (T) P.S. Case No. 203 of
2018 for offences punishable under Sections 20 and 22 of the
N.D.P.S. Act.

The prosecution case, as lodged by the police
personnel, is that on information from the spy that a person is
carrying contraband item, the motorcycle of the petitioner was
intercepted and petitioner was apprehended while fleeing away.
In a bag in the motorcycle 15 kg ganja was recovered.

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. He submits that the ganja seized was less than the commercial quantity and the confession of the petitioner that he was engaged in the trade of ganja was taken by the police under coercion. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner was arrested on the spot with 15 kg ganja.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months 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, West Champaran at Bettiah in connection with Bettiah (T) P.S. Case No. 203 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) 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.

- (iii) 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/Pragya

U		T	
---	--	---	--

