

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40903 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- THAWE District- Gopalganj

=====

Rahul Kumar Singh @ Rahul Kumar, Son of Paras Singh, resident of
Village- Bhojpurwa, Police Station- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Suresh Prasad Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Trial No. 15
of 2018 arising out of Thawe P.S. Case No. 68 of 2018 for
offences punishable under Sections 20/22 of the N.D.P.S. Act.

The prosecution case, as lodged by the police
personnel, is that on the arrest of the petitioner and other co-
accused Tony Kumar by the Hawaldar, they were found carrying
250 gms of ganja. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in
the aforesaid case. He further submits that the mandatory
provisions of the N.D.P.S. Act has not been complied with and
only small quantity of 250 gms of ganja was recovered from



two persons including the petitioner. The petitioner is languishing in judicial custody since 05.05.2018 and charge-sheet has already been submitted.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent.

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, Gopalganj, in connection with Trial No. 15 of 2018, arising out of Thawe P.S. Case No. 68 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	
---	--	---	--

