

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1010 of 2018

Arising Out of PS.Case No. -129 Year- 2017 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====

1. Raj Kumar Gupta Son of Badri Prasad Resident of Village - Khajura
(Saryia), Police Station - Durgawati, District - Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Gauri Shankar Gupta

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with NDPS Case
No. 10 of 2017, arising out of Durgawati P.S. Case No. 129 of
2017 for offences punishable under Sections
8/20(b)(i)(c)/25/27(A) of the Narcotic Drugs and Psychotropic
Substance Act.

The prosecution case, as lodged by the police
personnel, is that three persons were found in a Duster car
carrying 11.5 kgs of ganja, who revealed the name of the
petitioner and one another to have sold some ganja to them. The
house of the petitioner was raided and about 23 kgs of 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 and has been falsely implicated in the aforesaid case as nothing has been recovered from his conscious possession. He submits that some of the co-accused have been granted privilege of bail by this Court who were carrying ganja in the car, charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 03.07.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the ganja, more than the commercial quantity, has been recovered from the house of the petitioner.

Considering the facts and circumstances and the materials on record and the period of custody, 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 cum Special Judge, Kaimur at Bhabua, in connection with NDPS Case No. 10 of 2017, arising out of Durgawati P.S. Case No. 129 of 2017, 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.

(Nilu Agrawal, J)

Rajesh/-

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

