

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2609 of 2018

Arising Out of PS.Case No. -524 Year- 2017 Thana -KADAMKUAN District- PATNA

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1. Rajesh Paswan S/o Bhola Paswan, R/o Village- Athmal Gola, P.S.-
Athmalgola, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kadam Kuan
P.S. Case No. 524/17, Special Case No. 174/2017 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 the petitioner was apprehended along with 2½
kgs of ganja along with other persons.

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
altogether five persons have been apprehended including the



petitioner, the procedure under Section 50 of the NDPS Act has also not been followed and he is in judicial custody since 18.11.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the contraband item has been recovered from the possession of the petitioner.

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 District and Sessions Judge, Patna, in connection with Kadam Kuan P.S. Case No. 524/17, Special Case No. 174/2017, subject to the conditions that:

- (1) 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.
- (2) 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.



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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