

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48371 of 2017

Arising Out of PS. Case No.-198 Year-2017 Thana- UDWANTNAGAR District- Bhojpur

=====

Mukesh Singh, Son of Late Shiv Kumar Singh, Resident of Village- Masarh,
Police Station- Udwant Nagar (Gajrajganj), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv
with Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. MD. ASHLAM ANSARI

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 05-01-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of NDPS Case N0. 26 of 2017, disclosing offences under Sections 20/22 of the N.D.P.S. Act.

Case diary has been received.

Learned senior counsel appearing on behalf of the petitioner has submitted that as per the case of the prosecution, 19 Kg. of Ganja was recovered by the police from the possession of three persons and upon enquiry they are said to have disclosed the name of this petitioner for whom the said Ganja was being carried.

Learned senior counsel appearing on behalf of the



petitioner has submitted that apparently there is no allegation that the petitioner was in possession of any incriminating material and his implication is only on the basis of so-called confessional statement of the co-accused.

Learned Additional Public Prosecutor appearing on behalf of the State on the basis of the case diary has submitted that there is material collected by the police as has been disclosed in the First Information Report itself that Ganja was being carried to the petitioner's house. She has, however, not been able to show any material collected in course of investigation beyond what is alleged in the First Information Report, viz, to the extent that the persons arrested disclosed the name of this petitioner as the person from whom they were carrying ganja.

Considering the facts and circumstances of the case, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Bhojpur at Ara in N.D.P.S. Case No. 26 of 2017 (Udwant Nagar (Gajrajganj) P.S. Case No. 198 of 2017), subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

