

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22441 of 2018

Arising Out of PS. Case No. -95 Year- 2017 Thana -NATWAR District- SASARAM (ROHTAS)

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Babloo Kumar Gupta @ Babloo Sah, Son of Ram Naresh Sah @ Naresh Sah Resident of Village Dinara Ward No. 10, Police Station - Dinara, District - Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 29.10.2017 in connection with Natwar P.S. Case No. 95 of 2017 for the offences alleged under Section 414 of the Indian Penal Code and Section 20/21 of the Narcotic Drugs & Psychotropic Substances Act.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of heroin. It is submitted that 40 sachets of heroin was recovered from co-accused Lakshmi Kant Singh @ Balwant Singh and 81 sachets of heroin was recovered from the polythene said to have been thrown away by Bhanu Sheikh whereas no recovery whatsoever has been made from the petitioner. The said Lakshmi Kant Singh @ Balwant Singh has been granted bail by this Court in Cr. Misc. No. 7044 of 2018 and other co-accused Bhanu Sheikh has been granted bail by this Court in Cr. Misc. no. 15677 of 2018.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Rohtas at Sasaram in connection with Natwar P.S. Case No. 95 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

B.T/Chandran

(Vikash Jain, J)

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