

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62850 of 2017

Arising Out of PS.Case No. -285 Year- 2017 Thana -BIKRAM District- PATNA

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1. Ajay Upadhyay, S/o Anirudh Upadhyay, Resident of Village- Berar, P.S.-
Bikram, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bikram P.S. Case No.285 of 2017 registered for the offences
punishable under Sections 22/23/24/26 of N.D.P.S. Act.

It is alleged that 515 gm. Ganja has been recovered
from motorcycle of the petitioner by the police. It has been
submitted that the petitioner was apprehended merely on
suspicion and nothing has been recovered from conscious
possession of the petitioner. It has been further submitted that by
putting threat, the signature of the petitioner has been obtained on
seizure list. The petitioner is in custody since 25.09.2017 having
clean antecedent.



The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 the learned Sessions Judge/Special Judge, Patna in connection with Bikram P.S. Case No.285 of 2017 (Special Case No.141 of 2017), subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

Harish/-

(Sanjay Kumar, J)

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