

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12113 of 2018

Arising Out of PS.Case No. -958 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Nek Mohammad @ Nek Mohammad Ansari S/o Late Anwarul Ansari,
R/o Village- Sangram Tola, Ward No .09, P.S.- Forbesganj, Distt.- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 24.12.2017 in connection with Forbesganj P.S. Case No. 958 of 2017 corresponding to Sessions Case No. 35 of 2017 for the offences alleged under Sections 21(b)/22 of Narcotics Drugs & Psychotropic Substance Act.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 480 pieces of Phencyrex cough syrup 100 m.l. and 440 pieces of Dialex D.C. cough syrup 100 m.l. each total 920 pieces. It is submitted that the petitioner is merely a rickshaw puller and has no concern with the goods in question. Even according to the seizure list the goods have been recovered from the Bus Stand Shanti Guest House and not from the possession of the petitioner or from his rickshaw. The petitioner claims clean antecedents.

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 District & Sessions Judge cum Special Judge, Araria, in connection with Forbesganj P.S. Case No. 958 of 2017, corresponding to Special Case No. 35 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.

(Vikash Jain, J)

Md. Ibrarul/BT

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