

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25211 of 2018

Arising Out of PS.Case No. -203 Year- 2017 Thana -DAGARUA District- PURNIA

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Pramod Sah, Son of Jagarnath Sah, Resident of Village- Rampur, P.S.-
Murliganj, District- Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 11.12.2017 in connection with Special Case No. 22 of 2017 arising out of Dagarwa P.S. Case No. 203 of 2017 for the offences alleged under Sections 8/20/b(ii)(c)/25/29 of the N.D.P.S. Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion in connection with recovery of 726.800 Kgs. of *ganja* from a truck bearing registration no. NL 01D 9227, merely because the petitioner was sitting in Scorpio vehicle bearing no. BR11M-7681 nearby. Except suspicion, there is no other material to connect the petitioner with the alleged occurrence. No recovery of any incriminating articles has been made from the possession of the petitioner. Similarly situated co-accused Shiv Kant Raoy @ Srikant Roy Roy has been granted bail by this Court in Cr. Misc. No. 25907 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 1st Additional Sessions Judge, Purnea, in connection with Special Case No. 22 of 2017 arising out of Dagarwa P.S. Case No. 203 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/Rajan

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