

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57467 of 2017

Arising Out of PS.Case No. -424 Year- 2017 Thana -ARA NAGAR District- -

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1. Darwin Singh @ Darbin Singh S/o Sri Shudarshan Singh, R/o Village-Jalpura, P.S.- Koilwar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh-1

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Ara Town P.S. Case No. 424 of 2017 instituted for the offence under Section-21(b) of NDPS Act.

It has been submitted that the petitioner has no criminal antecedent. There is no recovery of any heroine from his possession. The name of this petitioner has been disclosed by Rakesh Kumar who was apprehended by police along with one Tarun Kumar possessing heroine. Rakesh Kumar told to police that he does business of heroine with this petitioner.

Case diary has been received wherein police has mentioned at para-45 that police searched house of the petitioner and only one electronic weighing machine was recovered from his house.

As such, there is no recovery of any incriminating article



either from possession or house of the petitioner.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Ara Town P.S. Case No. 424 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will liable to cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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