

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76074 of 2018

Arising Out of PS. Case No.-550 Year-2018 Thana- BETTIAH CITY District- West
Champaran

Atul Kumar Son of Sri Rahul Kumar @ Rahul Kumar Singh, resident of
village-Lakhaura, P.S. - Lakhaura, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Sri Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Bettiah Town P.S. Case No. 550 of 2018** registered for the offence punishable under Sections 20, 22, 23, 24, 25, 27A and 29 of the Narcotic Drugs and Psychotropic Substance Act and under Section 25(1-b) (a), 26 and 35 of the Arms Act.

Allegation against petitioner and other two co-accused is of recovery of 1250 gram of Charas and one loaded pistol from the conscious possession of Gabbar Singh @ Saheb Singh and 2 live cartridges from the possession of petitioner Atul Kumar.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. No narcotic substance has been recovered from his conscious



possession and recovery is only of two live cartridges. It has been further submitted that he has no criminal antecedent and he had taken lift on motorcycle and was apprehended by the police, although nothing has been recovered from his conscious possession. He is in custody since 01.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Sessions Judge, West Champaran, Bettiah** in connection with **Bettiah Town P.S. Case No. 550 of 2018** with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the 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.

(S. Kumar, J)

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