

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7798 of 2018

Arising Out of PS.Case No. -236 Year- 2017 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Dipak Das @ Deepak Das, Son of Dasai Das, Residents of Village- Bazar Chhapkaiya (Birganj), P.S.- Birganj, District- Patna. (Nepal).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-02-2018 The petitioner seeks regular bail in connection with N.D.P.S. Case No. 61 of 2017 arising out of Raxaul P.S. Case No. 236 of 2017, registered for offences punishable under Sections 20, 22, 23 and 24 of Narcotic Drugs and Psychotropic Substance Act, 1985 Act.

Allegation is of recovery of 150 gram of morphin from the petitioner and co accused of this case.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case at the instance of police and in fact nothing has been recovered from the possession of the petitioner. The alleged Morphin was recovered from the road side. It has also been submitted that co-accused of this case has already been granted by this court vide order dated 14.11.2017, passed in



Cri. Misc. No. 25566 of 2017 and petitioner has been in custody since 20.07.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts as well as the fact that other co-accused has already been enlarged on bail, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, Motihari, East Champaran, in connection with N.D.P.S. Case No. 61 of 2017 arising out of Raxaul P.S. Case No. 236 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) 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.

(Vinod Kumar Sinha, J)

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