

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27396 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -GALGALIA District- KISANGANJ

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Sahrul, S/o Siddique, resident of Matiyary, Ward No.5, P.S. - Jokihat,
District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India through Custom.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 23.01.2018 in connection with Spl. Case No.02/2018, arising out of Galgaliya P.S. Case No.08/2018, registered for the offence under Section 8/20(b)(ii) of the N.D.P.S. Act.

Learned counsel for the petitioner submits that on suspicion, the petitioner has been taken into custody that he was carrying 4 Kgs. 590 Gms. of substance, which appears to be like *Ganja*. It is further submitted that the petitioner was thus taken into custody and a copy of the seizure list was also handed over to him. It is submitted that the alleged recoveries were not from his conscious possession but from a bag which



was just above his seat. It is thus submitted that the petitioner may be released on bail. Learned counsel for the petitioner further submits that the petitioner has been apprehended from a public bus on suspicion and he has no criminal antecedents. It is submitted that one co-accused Saiyum has been extended the privilege of bail in Cr.Misc. No.23858 of 2018, vide order dated 20.04.2018.

In view of the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Kishanganj, in connection with Spl. Case No.02/2018, arising out of Galgaliya P.S. Case No.08/2018, subject to the following conditions:

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court



concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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