

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75697 of 2018

Arising Out of PS. Case No.-388 Year-2016 Thana- PATNA GRP CASE District- Patna

Shyam Kishore Paswan @ Shyam Kishore Ram @ Kaka Son of Late Muni
Lal Paswan Resident of Village-Gausganj,P.S. Ara Town,Distt.-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sri Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is apprehending his arrest for the
offences punishable under Sections 8, 21, 22 of NDPS Act.

It is submitted by petitioner's counsel that co-accused
Rajiv Mishra from whom there is recovery of Heroin has
disclosed the name of one Kaka without disclosing any details
such as parentage or address of the alleged "Kaka", as supplier
of Heroin in question. The petitioner four months thereafter, has
been implicated in this case on suspicion because his nickname
is also Kaka. Other than the confessional statement of said Rajiv
Mishra there is nothing to connect the petitioner with the
allegation in question. The petitioner has no criminal
antecedent.



In the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. Let the above named petitioner, in the facts and circumstances of the case, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge/Special Judge, Patna in Special Case No. 99 of 2016 arising out from Rail (Patna Jn.) P.S. Case No. 388 of 2016 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.

(ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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