

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3526 of 2019

Arising Out of PS. Case No.-345 Year-2018 Thana- DHAKA District- East Champaran

Barakatullah s/o Habib Ansari Resident of Vill-Harihara, P.S-Shikarganj,
Dist.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-02-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in Dhaka P.S. Case No. 345/2018 (N.D.P.S. Case No. 53/2018), registered for the offence punishable under Section 20 and 21 of the N.D.P.S. Act.

Learned counsel for the petitioner has submitted that the police has registered two cases against this petitioner on the same day. The police has first registered Dhaka P.S. Case No. 344/2018 levelling allegation that looted money of Rs. 1,73,000/- kept in a bag was recovered from the possession of petitioner and other co-accused Laxman Kumar. In that case there is no mention by the police about recovery of any Charas. The police registered another case Dhaka P.S. Case No. 345/2018 levelling allegation against this petitioner that 200



gms. of Charas was recovered from his possession. Seizure list is part of the F.I.R. wherein it is mentioned by the police that recovery has been made from near the Crusher of one Someshwar Prasad @ Naga Jee, but in the lower portion of the seizure list in the column of accused, name of this petitioner has been mentioned. It is further submitted that petitioner has already been granted bail in another case vide order dated 25.01.2019 passed in Cr. Misc. No. 3822/2019.

Considering the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above-named, be released on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District & Sessions Judge, Motihari, East Champaran in connection with Dhaka P.S. Case No. 345/2018 (N.D.P.S. Case No. 53/2018), subject to the condition that both the bailors will be close relative of the petitioner.

(Sanjay Priya, J)

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