

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12055 of 2019**

Arising Out of PS. Case No.-738 Year-2018 Thana- ARA NAGAR District-
Bhojpur

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Jaichand Paswan aged about 31 years, male, Son of Raj Kumar Paswan @
Raj Kumar Ram Resident of Village- Gangi, P.S-Ara Nagar, Dist-Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-02-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 21(b) of the N.D.P.S. Act registered in
connection with Ara Nagar P.S. Case No. 738 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in connection with recovery of 6 Gm. of heroin from
co-accused Abhisek Kumar @ Suni Kumar and Rajesh Chaudhary
and the petitioner's name has transpired on the confessional
statement of co-accused, except which there is no other material
to connect the petitioner with the alleged occurrence. It is
evident from the seizure list that no recovery has been made
from the petitioner who claims clean antecedents.

4. Be that as it may, in the event of the petitioner's
arrest or surrender before the court below within six weeks from
the date of communication of this order, let the above named
petitioner be released on bail on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of like amount each



to the satisfaction of learned Additional Sessions Judge-II, Bhojpur at Ara in connection with N.D.P.S. P.S. Case No. 12 of 2018 arising out of Ara Nagar P.S. Case No. 738 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate 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.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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