

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11941 of 2019

Arising Out of PS. Case No.-326 Year-2018 Thana- JAKKANPUR District- Patna

Bhola Ray aged about 48 years (Male), Son of Late Rambali Roy Resident of Village /Mohalla- Kannu Lal Road, Near Shiv mandir, Sadhna Hotel, P.S.- Jakkanpur, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Ms.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-02-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Special Case No. 73 of 2018 arising out of Jakkanpur P.S. Case No. 326/2018 registered under Sections 20/22 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that from the seizure list itself it will be clear that the recovery is from the room in which the tenant Prakash Kumar was living. Altogether 205 purias weighing 1 Kg. 200 Grams of Ganja is said to have been recovered from the said Prakash Kumar. Learned counsel submits that so far as this petitioner is concerned, he has been implicated in this case on the statement of Prakash Kumar who in course of his interrogation alleged that the Ganja belongs to this petitioner. It is submitted that the petitioner has no criminal history and has been falsely implicated in this case by his tenant who was in possession of the said Ganja.

Learned A.P.P. for the State is present and has opposed the prayer for anticipatory bail of the petitioner.



Considering the facts and circumstances of the case wherein it is submitted that the Ganja has been recovered from possession of one Prakash Kumar and not from this petitioner and that the petitioner has no criminal history and also that he is only the owner of the house, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, Patna, in connection with Special Case No. 73 of 2018 arising out of Jakkanpur P.S. Case No. 326/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

