

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1982 of 2019

Arising Out of PS. Case No.-167 Year-2018 Thana- RAXAUL District- East Champaran

Robin Gautam, son of Chhabiram Gautam @ Dhabiram Gautam, Resident of
Village- Trisauli, P.S. Bidur, District- Nuakot (Nepal).

... .. Petitioner/s

Versus

1. State Of Bihar.
2. The Union of India through Inspector General, S.S.B. Frontier Head
Quarter, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dhurendra Kumar
For the Respondent/s	:	Mr. Anil Prasad Singh, APP
For the U.O.I.		Mr. Ram Anurag Singh, CGC

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with N.D.P.S. Case No. 38 of 2018 arising out of
Raxaul (Haraiya O.P.) P.S. Case No. 167 of 2018 registered for
the offence punishable under Sections 21(C) and 27(b) of
N.D.P.S. Act.

Informant has alleged in his written complaint that
while he was on patrolling duty alongwith other SSB personnel
at Indo-Nepal Border near Pillar No. 393, he saw one person
was moving from Pantoka village towards Nepal and when he
commanded said person to stop, he started fleeing away and on



chase said person was apprehended, who disclosed his name as Robin Gautam (petitioner). On search 51 pieces of intoxicant injections (Phenergan-17 pieces, Diazelab-17 pieces and Noophin 17 pieces), a mobile and Nepali currency were recovered from the possession of petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to suspicion. Nothing incriminating material has been recovered from the possession of petitioner. It has been further submitted that petitioner has no criminal antecedent and he is in custody since 11.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge, East Champaran at Motihari, in connection with N.D.P.S. Case No. 38 of 2018 arising out of Raxaul (Haraiya O.P.) P.S. Case No. 167 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two



consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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