

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26192 of 2019

Arising Out of PS. Case No.-70 Year-2019 Thana- BARAUNI District- Begusarai

NIRAJ KUMAR, aged about 30 years, Male, Son of Bijay Rai Resident of
Village - Bariyarpur, ward no. 8, P.S.- Teghra, Distt – Begusarai
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 10-05-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
13.03.2019 in connection with N.D.P.S. Case No. 4 of 2019
arising out of Barauni P.S. Case No. 70 of 2019 for the offences
alleged under Sections 20 and 22 of the Narcotic Drugs and
Psychotropic Substances Act.

The prosecution case, as lodged by the police
personnel, is that during patrolling duty they intercepted a
motorcycle and apprehended two persons including the
petitioner. On search, from the motorcycle 2Kg of ganja was
recovered from a bag. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, nothing has been recovered from
his conscious possession and he is languishing in judicial
custody since nearly two months. It is, further, submitted that



the ganja seized was less than the commercial quantity and the petitioner has been sufficiently punished.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case under the Excise Act is pending against him.

Considering the nature of allegations and the materials on record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with N.D.P.S. Case No. 4 of 2019 arising out of Barauni P.S. Case No. 70 of 2019 to the satisfaction of the learned Sessions Judge, Begusarai, or the successor Court, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Shamshad/-

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

