

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30932 of 2019

Arising Out of PS. Case No.-255 Year-2018 Thana- HARSIDHI District- East Champaran

SURESH SAHANI Son of Harihar Sahani Resident of Village- Harsidhi, P.S.-
Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shashi Shekhar Tiwary
For the Opposite Party/s :	Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-08-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in **Harsidhi**
P.S. Case No. 255 of 2018/G.R. No. 4114 of 2018 registered for
the offence punishable under Sections 20 and 22 of the NDPS
Act.

Informant who is police officer in his written report
has stated that on 24.06.2018 at about 5:00 pm he received
confidential information that one person with contraband
articles has entered the house of petitioner and on receiving such
information he raided the house of petitioner in presence of
Circle Officer, Harsidhi and neighbours who had assembled
there and when the door was opened one person tried to flee
away and jumped from the roof and was apprehended who
disclosed his name as Rakesh Sah and 5 Kg of Charas in 6



Packets were recovered from the house.

It has been submitted on behalf of the petitioner that he was not arrested at the spot. Nothing has been recovered from the possession of the petitioner. Allegation of bringing the contraband articles is against Rakesh Sah who entered the house of petitioner and was arrested while trying to flee away. There is no allegation against the petitioner of possessing or bringing contraband articles or was present at the place of occurrence. Petitioner has got no criminal antecedent and is in custody since 26.06.2018.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Harsidhi P.S. Case No. 255 of 2018/G.R. No. 4114 of 2018**, with following conditions:-

(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 shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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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