

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33382 of 2018

Arising Out of PS. Case No.-17 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

Ashok Singh Nishad, S/o Dinesh Singh Nishad, R/o Vill.- Ghumra Diyara,
P.S.- Maranchi, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Mouar, Advocate
For the Union of India	:	Mr. Manoj Kumar Singh, C.G.C.
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

8 08-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences
punishable under Sections 8(c), 20(b)(ii)(c) of the N.D.P.S. Act.

From a truck 300 kgs of *ganza* was recovered. The
driver disclosed that the same was to be supplied to the person
whose mobile number was provided to him. The driver called the
said person on the said mobile, thereafter, five persons reached
there and all the five persons were arrested by the police including
the petitioner. Petitioner stated before the police that co-accused
Raja Ram Mahto called him on telephone that *ganza* has come on
a truck and if we all will go to receive the same, we will get a good
income.

Learned counsel for the petitioner submits that only on



suspicion, the petitioner has been implicated in this case. Petitioner has got no criminal antecedent. He is in custody since 16.09.2017.

Learned counsel for the Union of India opposed the prayer for bail on the basis of confessional statement of co-accused as well as the petitioner and submits that the said confession is admissible in the eye of law.

Considering the nature of allegation against the petitioner and period already undergone, let the petitioner, above named, be released **after framing of the charges** on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case No. 136 of 2017 arising out of F. No. NCB/PZU/V/17/2017, with the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below having immovable property.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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