

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41574 of 2019

Arising Out of PS. Case No.-20 Year-2017 Thana- KATIHAR GRP CASE District- Katihar

Abdul Lipan @ Ripan @ Abdul Lipan Mian Son Of Md. Salauddin Miyan @
Taslim Uddin Miya Resident Of Village - Kumarganj, P.S.- Sahebganj, Dist.-
Cooch Behar (West Bengal) ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Nafisuzzoha, Advocate

For the Opposite Party : Mr.Nawal Kishore Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-11-2019 Heard learned counsel for the parties and perused the
case diary.

Petitioner apprehends his arrest in a case registered
for the offence punishable under sections 8/20/22 of the NDPS
Act.

It is alleged that 18 kilograms Ganja was recovered
from below the seat of two persons travelling in a train. They
disclosed that the aforesaid consignment was being transported
to the petitioner.

Learned counsel for the petitioner submits that the
petitioner's name has been transpired on the confessional
statement of co-accused, nothing has been recovered from the
possession of the petitioner and he is no way concerned with the
alleged recovery. Petitioner has got no criminal antecedent.
Petitioner is serving as a constable in West Bengal police.



Further, no case under the NDPS Act is made out against him.

In view of the facts and circumstances of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VI, Katihar in Katihar Rail Police Station Case No. 20 of 2017, GR No. 28 of 2017 on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

Shashi

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

