

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63570 of 2018

Arising Out of PS. Case No.-44 Year-2018 Thana- BHAGWANPUR District- Vaishali

Dinesh Paswan @ Dinesh Bhagat Son of Janak Paswan Resident of Village-
Malahi Pakri, P.S. Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 17-01-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 8 and 20(b)(II) B of NDPS Act.

The prosecution case is that during vehicle check, from a bus, two persons, each carrying 4 kilograms of ganja, were apprehended and they disclosed their names as Ajay Kumar and Alok Kumar. The apprehended accused persons also disclosed the name of the petitioner as supplier.

It is submitted by learned counsel for the petitioner that during investigation, no cogent material was collected showing that ganja was supplied by the petitioner. Moreover, there is no recovery from the petitioner.

Learned APP submits that though no other material has



been collected during investigation but the apprehended accused have given statement that the petitioner was the supplier of the seized ganja.

Considering the fact that the recovery has not been made from the petitioner and the investigation has still not concluded, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ I, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 44 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

Since the investigation is still pending, the learned Court below will be at liberty to cancel the bail bonds of the petitioner, in case the petitioner fails to cooperate in the investigation.

(Dinesh Kumar Singh, J)

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