

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59952 of 2019**

Arising Out of PS. Case No.-73 Year-2018 Thana- DARPA District- East Champaran

1. Shankar Singh @ Shnakar Singh, aged about 36 years, Gender, Male, Son of Ram Narain Singh
2. Pritesh Kumar, aged about 26 years, Gender- Male, Son of Dhruvnarayan Singh. Both Resident of Village - Tinkoni, P.S.- Darpa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Krishna Kant Tiwari, Adv.  
For the Opposite Party/s : Mrs.Anita Kumari Singh (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      25-09-2019                      Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with N.D.P.S. Case No. 41 of 2018, arising out of Darpa P.S. Case No. 73 of 2018 registered for the offences punishable under Sections 20 & 22 of the N.D.P.S. Act, 1985.

It has been submitted on behalf of the petitioners that Petitioners have earlier moved this Court for bail vide Cr. Misc. No. 78789 of 2018 which was rejected on 08.02.2019 with a liberty to renew his prayer for bail after completion of one year in custody. Petitioners are in custody since 22.07.2018. It is submitted that nothing was recovered from the conscious



possession of petitioners and they have been falsely implicated in this case by the police. Petitioners have no criminal antecedent.

Allegation against petitioners is that while riding on a motorcycle on seeing police they threw the plastic packets which contained Ganja weighing 25.700 Kgs.

Considering the aforesaid facts and circumstances of the case and the observation made in order dated 08.02.2019 passed in Cr. Misc. No. 78789 of 2018, petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran at Motihari, in connection with N.D.P.S. Case No. 41 of 2018, arising out of Darpa P.S. Case No. 73 of 2018 with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court and their absence on two consecutive dates without proper and valid reason trial court shall have liberty to



cancel his bail bond.

(3) If the petitioners 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 petitioners.

(4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

**(S. Kumar, J)**

Rajiv/-

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