

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74124 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- BRAHMPUR District- Buxar

Shanker Bin @ Shanker Choudhary @ Shankar Bin @ Shankar Chaudhary,
Son of Chhabila Bin, Resident of Village- Chakki Jaipal Thakur Ka dera, P.S.-
Brahampur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Rai

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-11-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Brahampur (Chakki) P.S. Case No.73 of 2019, corresponding to N.D.P.S. Case No.06/2019, registered for the offence punishable under Sections 15(C)/18(B)(C) of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics merely on suspicion. Learned counsel submits that the petitioner is not the land owner in which the cultivation of pappy plants were being carried on.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of the submission of the petitioner that



he is not the owner of the land in which cultivation of pappy plants were being carried on and that he is simply a labourer as also that several co-accused have already been granted regular bail by a learned coordinate Bench of this Court in Cr.Misc.No.58487 of 2019 and Cr.Miscc.No. 48394 of 2019 as also that the petitioner is in custody for almost three months, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned District Judge-cum-Special Court (N.D.P.S.), Buxar in connection with Brahampur (Chhaki) P.S. Case No.73/2019 corresponding to N.D.P.S. Case No.06/2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

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(Rajeev Ranjan Prasad, J)

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