IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71682 of 2018

Arising Out of PS. Case No.-224 Year-2018 Thana- PIPRA District- East Champaran

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1. Sunil Kumar Son of Krishna Singh, resident of Village- Maisurkhurd, P.S.- Sapla, District- Rohtak Haryana.
2. Mohit, Son of Pradeep, resident of Village- Nayawash, P.S.- Sapla, District- Rohtak Haryana.
3. Vijay Sharma, Son of Mohabir Sharma, resident of Village- Sarswati Nagar, P.S.- Sadar Agra, District- Agra, Uttar Pradesh.
4. Sandeep @ Sandip, Son of Ajit, resident of Village- Kharar, P.S.- Bahadurganj, District- Jajar Haryana.

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 76187 of 2018

Arising Out of PS. Case No.-224 Year-2018 Thana- PIPRA District- East Champaran

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1. Sudhir Singh Son of Late Balbir Singh @ Balbir, resident of Shivajee Colony, Ward No. 6, P.S. Rohtak, District- Rohtak, Hariyana.
2. Sumit, Son of Balibeer Singh, resident of Devrar, P.S.- Gulana, District- Jind, Hariyana.
3. Krishna Kumar Lathwal, Son of Ishwar Singh Lathwal, resident of M.D.H. School, Aazamgarh, P.S.- Rohtak, District- Rohtak, Hariyana.

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
(In Criminal Misc. No. 71682 of 2018)
For the Petitioner/s : Mr.Ansul,Advocate
Mr. Anuj Kumar, Advocate
Mr. Navneet Kumar, Advocate
For the Opposite Party/s : Mr.Sri Rajeev Nayan, APP
(In CRIMINAL MISCELLANEOUS No. 76187 of 2018)
For the Petitioner/s : Mr.Krishna Kant Sharma, Advocate
For the Opposite Party/s : Mr.Sri Anil Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

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3 14-03-2019 Heard learned counsel for the petitioner in Cr. Misc. No. 71682 of 2018 and Cr. Misc. No. 76187 of 2018 and learned counsel for the State.

The petitioners in both the aforesaid cases are in custody since 22.08.2018 in connection with NDPS Case No. 49 of 2018 for the offence registered under Sections 414, 420 of the Indian Penal Code and Section 20, 22 of the NDPS Act.

Learned counsel for the petitioners submits that the allegation as levelled against the petitioners is that they were found present at a Hotel which was raided on the basis of the information supplied by the Hotel owner and from the vehicles which were supposedly being used by them certain recoveries to the tune of 500 grams of ganja each were recovered from two Swift desire vehicles. It is further submitted that actually these petitioners had reached the hotel and were to drive further towards Baidyanath Dham but certain differences arose between the hotel owner and these petitioners and consequently, they have been falsely implicated in connection with the present case. It is further submitted that the allegation of recovery of false number plates was misconceived and these vehicles were being driven by the *bona* fide owners and thus, the story as made out does not at all seem feasible worthy of credence. It is

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further submitted that one of the persons who was also arrested in the same manner has since been extended the privilege of regular bail vide order dated 11.01.2019 passed in Cr. Misc. No. 70976 of 2018. It is further submitted that the present petitioners in both the cases are having clean antecedent and may therefore, be extended the privilege of bail as in the case of the aforementioned similarly situated persons.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, namely, Sunil Kumar, Mohit, Vijay Sharma and Sandeep @ Sandip in Cr. Misc. No. 71682 of 2018 and also Sudhir Singh, Sumit and Krishna Kumar Lathwal in Cr. Misc. No. 76187 of 2018, 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 learned Sessions Judge-cum-Special Judge, East Champaran, Motihari in connection with NDPS Case No. 49 of 2018.

(Anjana Mishra, J)

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