

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80633 of 2019

Arising Out of PS. Case No.-131 Year-2017 Thana- MIRGANJ District- Purnia

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GARBHU RISHI Son of Late Sobhu Rishi Resident of Village-Mir Milik,
P.S.-Mirganj, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-12-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in connection with
Mirganj P.S. Case No. 131 of 2017 corresponding to
Suppl. Special Case No. 19 of 2017/CIS NDPS 14 of
2018 dated 11.09.2017 instituted for the offence under
Section 20(b) of the Narcotic Drugs and Psychotropic
Substances Act, 1985.

The petitioner is said to be in custody since
28.04.2019.

It appears from the prosecution report that
10.154 kgs. of Ganja was recovered from his house but
during the course of police raid, the petitioner managed
to effect his escape.

From the house of one Md. Afaq and his wife,



both of whom were made accused in this case, 27.87 kgs. of Ganja was recovered. The wife of aforesaid Md. Afaq viz. Usiya Khatoon has been granted bail.

The petitioner is stated to be a labourer and the recovery which is shown against him has actually been thrust upon him. There is no signature of the petitioner or his family members on the seizure list.

Regard being had to the aforestated facts and the period of custody of the petitioner, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS Act Purnea in connection with Mirganj P.S. Case No. 131 of 2017 corresponding to Suppl. Special Case No. 19 of 2017/CIS NDPS 14 of 2018.

However, it is cautioned that in case the petitioner does not participate in the trial and absents himself without any permission of the trial court, the prosecution would be entitled to move for cancellation of his bail forthwith.

(Ashutosh Kumar, J)

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