

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82587 of 2019

Arising Out of PS. Case No.-490 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

Shahabudeen Ansary Son of Md. Sagir @ Sagir Miyan Resident of Village -
Hajiyapur Town, P.S.- Gopalganj, Distt.- Gopalganj ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Shailendra Kumar, Advocate
For the Opposite Party Anita Kumari Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner is an accused in a case registered for the
offence punishable under section 414 of the IPC and under the
NDPS Act.

2.7 grams Smack was recovered from a car in which
petitioner and other accused persons were travelling.

Learned counsel for the petitioner submits that he has
got no criminal antecedent, he is neither the owner of the car nor
the driver of the said car. Mandatory provisions of section 100
Cr.P.C. has not been followed for search and seizure. Petitioner
is in custody since 2.10.2019, though nothing incriminating has
been recovered from his conscious possession.

In view of the facts and circumstances of the case,
prayer for bail of the petitioner is allowed. Let the petitioner,
mentioned above, 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 the Additional Sessions Judge I
Gopalganj in Gopalganj Town Police Station Case No. 490 of
2019, on the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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