

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2978 of 2020

Arising Out of PS. Case No.-203 Year-2019 Thana- SIDHWALIYA District- Gopalganj

BABLU SAH Son of Late Satynarayan Sah @ Sateyanarayan Gupta Resident
of Village - Puraina, P.S.- Barharia, Distt - Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jagdish Prasad, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Sidhwalia P.S. Case No. 203/2019 (Tr. No. 25/2019) registered under Sections 414, 420, 406, 379, 411, 34 of the Indian Penal Code and 8(c), (b), 20(b)(ii)(B) of NDPS Act.

Learned counsel for the petitioner submits that so far as this petitioner is concerned, there is no allegation that he had any connection with the Ganja seized by police. The three persons who were present in the Truck have been specifically named and the driver of the Truck has stated that it is the Tori in which this petitioner deal in normal course of business was delivered to him and when the police conducted raid in the premises of the petitioner the police found the said Tori and no Drug or Psychotropic Substance Act were found in the premises of the petitioner, further submission that petitioner is a businessmen and the



allegation that the petitioner had been involved in theft of Tori has not been substantiated as also that the petitioner has no criminal antecedent and has remained in custody since 04.11.2019.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that there is no allegation that he had any connection with the Ganja seized by police. The three persons who were present in the Truck have been specifically named and the driver of the Truck has stated that it is the Tori in which this petitioner deal in normal course of business was delivered to him and when the police conducted raid in the premises of the petitioner the police found the said Tori and no Drug or Psychotropic Substance Act were found in the premises of the petitioner. Learned counsel further submits that petitioner is a businessmen and the allegation that the petitioner had been involved in theft of Tori has not been substantiated as also that the petitioner has no criminal antecedent and has remained in custody since 04.11.2019, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, District – Gopalganj (Bihar), in connection with Sidhwalia P.S. Case No. 203/2019 (Tr. No. 25/2019), 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.

(Rajeev Ranjan Prasad, J)

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