

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13739 of 2020

Arising Out of PS. Case No.-535 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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MD. NAZAR SADDAM @ MD. NAZIR SADDAM @ MD. NAJIR
SADDAM Son of Md. Masiuzzaman @ Md. Masihuzzaman Resident of
Mohalla - Gol Tola, Bhikhanpur, Gali No. 3, P.S. - Ishakchak, District -
Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Masleh Uddin Ashraf
For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 27, 27(A), 28,28(A) of the Drugs and Cosmetics Act
and 22(b) of the NDPS Act.

Allegedly, 50 pieces of prohibited drugs were recovered from
the scooty, in question.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. 50 pieces of prohibited drugs are said to have been recovered. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Jogsar) P.S. Case No. 535 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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