

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 28481 of 2020

Arising Out of PS. Case No.-3 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Subodh Kumar @ Chunnu Kumar @ Chandan Kumar S/O Late Hari Mahto
Resident Of Village-Jai Nandan Bigha, Gangapur, Police Station-Hulasganj,
District-Jehanabad.

... .. Petitioner

Versus

The Union Of India Through Intelligence Officer, Narcotics Control Bureau,
Patna Patna.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ashok Kumar Mishra, Advocate
For the UOI : Mr.K.N. Singh (ADSG)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-11-2020 Heard learned counsel for the petitioner and the
opposite party through Video Conferencing.

The petitioner seeks bail in a case registered for the
offence punishable under sections 8, 20 and 29 of the NDPS
Act.

Prosecution's case, in brief, is that 30.750 kilograms
of Ganja was recovered from a vehicle in which the petitioner
and three others were travelling.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Petitioner is only a passenger of the vehicle and had no
knowledge of the incriminating article being carried in the said
vehicle. He is neither driver nor the owner of the vehicle.
Charges have also been framed in the case. As per paragraph 3
of the bail petition, petitioner has got no criminal antecedent and
he is in custody since 12.1.2019, though other similarly situated



co-accused, namely, Dinesh Ray and Mahendra Saw have already been allowed bail by different co-ordinate benches of this Court vide orders dated 15.6.2020 and 16.10.2020, passed in Cr.Mis.Nos. 670/2020 and 5544/2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge XVII, Patna in Special Case No. 05/2019/Narcotic Control Bureau Case No. 03/2019 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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