

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27726 of 2020

Arising Out of PS. Case No.-732 Year-2019 Thana- DIGHA District- Patna

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UMESH RAI @ UMESH ROY Son of Late Nathun Rai R/v- Makhdumpur,
Gate No.-88, P.S.- Digha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Mirtunjay Kumar Nirala, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 24-11-2020 This matter has been taken up in virtual court.

Let the defects be removed within 15 days of the
start of the physical Court.

Heard the parties.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 20 and 22
of the NDPS Act.

Submission is that 156 gm of ganja was recovered
from the possession of co-accused Raj Kumar Singh who has
already been allowed bail. Name of the petitioner surfaced in
the confessional statement of Raj Kumar Singh. Petitioner has
got no criminal antecedent.

Since there is no direct material to suggest that the
petitioner has committed any offence under the NDPS Act nor
there is material to suggest that in the event of grant of



anticipatory bail, the petitioner would repeat the identical offence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Special Case No. 01 of 2020, arising out of Digha P.S. Case No. 732 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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