

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28351 of 2020

Arising Out of PS. Case No.-146 Year-2020 Thana- KATIHAR District- Katihar

RAJESH PASWAN @ BANTI PASWAN Son of Krishna Paswan Resident of
Village - Lal Kothi, (Driver Tola) Ward No. 17, P.S.- Katihar (Town), District
- Katihar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Union of India, Through the Director N.D.P.S. Govt. of India. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Katihar (Town) P.S. Case
No. 146 of 2020 Special NDPS Case No. 04 of 2020, registered
for the offence punishable under Sections 8(c), 21(c) of the
N.D.P.S Act.

As per prosecution case, on secret information raid
was conducted and two persons including this petitioner were
apprehended and on search, 870 gms. of Heroin was recovered
from the possession of co-accused Dharmendra Kumar. From



possession of this petitioner, one mobile phone of Micromax was recovered.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. No incriminating article has been recovered from possession of this petitioner. 870 gms of Heroin is recovered from possession of co-accused Dharmendra Kumar. Co-accused Gopal Kumar Mahto has been granted bail by this court vide order dated 02.09.2020 passed in Cr. Misc. No. 22648 of 2020. Petitioner is in custody since 22.02.2020 having clean antecedent as stated in para 3 of the bail petition.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Sessions Judge-cum-Special Judge, NDPS, Katihar in connection with Katihar (Town) P.S. Case No. 146 of 2020 Special NDPS Case No. 04 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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