

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74435 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- KANHAWLI District- Sitamarhi

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RUPESH KUMAR PATEL @ RUPESH PATEL Son of Late Bacha Kumar Rai @ Ramesh Patel R/O Village- Hathiaul, Ward No.-5, P.S.- Balra, District- Sarlahi (Nepal).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Union of India through DRI, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 21-01-2020 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody seeks bail in a case registered under Sections 8/20(B) 2/(A) of the Narcotic Drugs and Psychotropic Substances Act.

Allegation is recovery of 2.700 grams of Ganja from the possession of petitioner.

It has been submitted on behalf of petitioner that petitioner has no criminal antecedent and has been falsely implicated in this case without complying the mandatory provision of N.D.P.S. Act. Petitioner is in custody since 05.07.2019.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Kanahauli P.S. Case No. 76 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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