

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66002 of 2019

Arising Out of PS. Case No.-295 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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1. Vikash Tiwari Son of Sanjay Tiwari Resident of Village- Hulash Chapra, Police Station- Gorla Kothi, District- Siwan.
 2. Amit Tiwari Son of Nand Kishor Tiwari Resident of Village- Madhopur, Police Station- Tarwara, District- Siwan.

... .. Petitioner/s

Versus

The Union Of India

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Kundan Kumar Sinha, Advocate
For the Opposite Party/s :	Mr.S.D.Sanjay, Addl. Solicitor General Of India
	Ms. Shail Kumari, CGC

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-01-2020 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in **Case No. 295 C-3 Ex.2019**, registered for the offence punishable under Section 20(b) of the N.D.P.S. Act.

As per the FIR, on secret information, the informant (Inspector of Excise Department) raided bus bearing registration no. BR25P-9275 and during raid, 16.8 K.G. of Ganja was recovered from these petitioners while travelling on the said bus.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners have falsely been implicated in this case. The Ganja was recovered from bus not from the conscious possession of petitioners. Petitioners were simply



passengers of the said bus. Moreover, the quantity of recovered Ganja is less than the commercial quantity. Charge-sheet has already been submitted and there is no allegation of tampering with the evidence against these petitioners. Petitioners are in custody since 08.08.2019 having clean antecedent.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Sessions Judge-cum-Special Judge, Nalanda Bihar** in connection with **Case No. 295 C3 Ex./2019**, subject to the following conditions:-

(i) The petitioners 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, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper 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 petitioners.

(Prabhat Kumar Singh, J)

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