

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76976 of 2019

Arising Out of PS. Case No.-112 Year-2019 Thana- THAKURGANJ District- Kishanganj

ANWAR Son of Kalam Haque Resident of Village - Mashpur, P.S.-
Pawakhali, District - Kishanganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Thakurganj P.S. Case No. 112 of 2019 giving rise to Special Case No. 27/2019 registered under Sections 22, 23 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that there is no recovery of Mescaline from the conscious possession of the petitioner, his name has only transpired in the confessional statement of the co-accused. Learned counsel submits that this petitioner has got no criminal antecedent and he is in custody since 09.09.2019. Learned counsel further submits that the investigation against the petitioner is complete and there is no submission that his



release is likely to influence the course of trial or otherwise tampering of evidence,

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that there is no recovery of Mescaline from the possession of the petitioner and his name has only transpired in the confessional statement of the co-accused and further that this petitioner has got no criminal antecedent as also that the petitioner is in custody since 09.09.2019, the investigation against him is complete and there is no submission that his release is likely to influence the course of trial or otherwise tampering of evidence, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge – cum – Special Judge, N.D.P.S. Act, Kishanganj, in connection with Thakurganj P.S. Case No. 112 of 2019 giving rise to Special Case No. 27/2019, subject to the condition as laid down under Section 437(3)



Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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