

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 78280 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

Shankar Das Son of Putul Das R/o- 22, School Tila, Village - Gandhigram,
P.S.- Airport, District - West Tripura, Tripura Petitioner/s
Versus

Govt. Of India Through N.C.B., Patna Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha
For the Opposite Party/s : Mr. Manoj Kumar, CGC

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 17-03-2020 Heard learned counsel appearing for the petitioner as
well as learned counsel appearing for the Union of India.

Petitioner is languishing in jail custody since
10.5.2019 in connection with F.No. NCB/PZU/V/12/2019
registered under Sections 8/20, 25 and 29 of N.D.P.S. Act.

Petitioner and three others were arrested and huge
quantity Ganja was recovered from an oil tanker.

It is submitted on behalf of the petitioner that
petitioner was not found sitting in the above stated oil tanker and
as a matter of fact, the driver of the tanker asked from petitioner
about a hotel and while petitioner was disclosing the location of
hotel, he was caught by the officials from outside the aforesaid oil
tanker. He, further, submits that so far as so-called confessional
statements of petitioner and others accused are concerned, the
same were taken by the officials under coercion. It is also pointed



out by him that the petitioner does not have any criminal antecedents, which is evident from perusal of paragraph 3 of the petition.

On the other hand, learned counsel appearing for Union of India opposed the prayer submitting that petitioner as well as other co-accused confessed that the seized Ganja was supplied by the petitioner.

However, it appears that except the so-called confessional statement, there appears to be nothing against the petitioner

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Muzaffarpur/concerned Court in connection with F.No. NCB/PZU/V/12/2019, subject to conditions that one of the sureties must be close relation of the petitioner, who shall swear an affidavit, to this effect, as to how he/she is related with the petitioner.

(Hemant Kumar Srivastava, J)

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