

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1849 of 2020

Arising Out of PS. Case No.-133 Year-2019 Thana- BARACHATTI District- Gaya

Kamaldeo Singh @ Kamaldeo Singh Bhokta @ Kamaldeo Singh Bhogta S/o
Late Dhanuka Singh @ Dhanuka Singh Bhokta Resident of Village- Nare,
P.S.- Barachatti, Distt- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
 2. The Union of India through the Narcotics Commissioner, New Delhi. Bihar
- Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s :	Mr.Ram Priya Sharan Singh, A.P.P.
	Mr. Ravindra Kumar Sharma, CGC

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 28-05-2020 Heard learned counsel for the petitioner, learned
A.P.P. for the State as well as learned Central Govt. Counsel
through video conferencing.

This relates to grant of bail in Barachatti P.S. Case
No. 133 of 2019 registered for the offence under Sections 8, 15,
18(c), 25, 20 and 22 of the N.D.P.S. Act.

As per prosecution case, the informant received a
secret information that local people of village Khaira, Piprahi
and Nare are involved in illegal cultivation of narcotic
substance. Thereafter, the informant with police party reached
there and destroyed all narcotic substance. It is alleged that
petitioner and others were involved in above cultivation of
narcotic substance.

It is submitted on behalf of petitioners that petitioner



has falsely been implicated in this case and he has committed no offence. Petitioner has been made accused only on the basis of suspicion. Nothing has been recovered from his conscious possession. It is further submitted that similarly situated co-accused Brahmdeo Yadav has already been granted bail by this Court, vide Cr. Misc. No. 6512 of 2020. Petitioner is in custody since 07-09-2019.

Considering the aforesaid facts and circumstances, let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Upadhyay, learned A.D.J.-II, Gaya in connection with Barachatti P.S. Case No. 133 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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