

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16398 of 2021

Arising Out of PS. Case No.-424 Year-2020 Thana- DAUDNAGAR District- Aurangabad

Neyaz Ahmad @ Monu Son of Late Jamil Ahmad Resident of Mohalla-
Chowkhandi Road, Ward No.30, Police Station- Sasaram Town, Post
Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-04-2021 Heard the parties in virtual Court proceeding.

The petitioner is languishing in custody for the
offences punishable under Sections 8(C)/21(B) of the
N.D.P.S. Act.

From a Triber four wheeler 77 gms of brown sugar
and heroin in three small packets was recovered from the
backside of the seat of the driver. The petitioner and others
were also on the same vehicle. The driver disclosed that the
brown sugar and heroin was provided by Mubarak Hussain to
carry it to Aurangabad.



Learned counsel for the petitioner submits that the recovery was not from conscious possession of the petitioner nor the petitioner is owner of the said vehicle. The petitioner has got no criminal antecedent. The petitioner had gone to attend the marriage ceremony and the Barat party asked the petitioner to sit on the vehicle to reach the destination. The petitioner had to appear in the examination.

Learned counsel for the State opposed the prayer for bail.

Considering lack of direct material against the petitioner regarding knowledge of the recovered charas or brown sugar, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Daudnagar P.S. Case No.424 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.



(c) The petitioner shall not leave the country without
permission of the trial Court.

(Birendra Kumar, J)

Mkr./-

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