

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24717 of 2021

Arising Out of PS. Case No.-303 Year-2020 Thana- CHIRAIYA District- East Champaran

Golu Kumar Son Of Rama Singh R/O Village- Harihara, P.S.- Shikarganj,
District- East Champaran, Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Brajesh Kumar Singh, Advocate

For the Opposite Party : Mr.CB Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 414 and other ancillary sections of the Indian Penal Code, sections 25/26/35 of the Arms Act and section 220/22 of the NDPS Act.

As per the prosecution case, on the secret information that some miscreants have assembled with weapons to commit crime, police conducted a raid and arrested thirteen accused persons including the petitioner with stolen motorcycles and 1.866 kilograms of Charas etc.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner rather the said charas has



been recovered from the possession of co-accused Ranjeet Kumar. He is in custody since 18.11.2020. Several similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court vide orders passed in Cr.Misc.No. 18811/2021 and 18726/2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge East Champaran, Motihari in NDPS case no. 64 of 2020/Chiraiya Police Station Case No. 303 of 2020 on the following conditions:-

(1) Petitioner 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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