

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28856 of 2021**

Arising Out of PS. Case No.-200 Year-2019 Thana- ADAPUR District- East Champaran

JAVED ANSARI @ MD. JAVED ANSARI Son of Rahamtullah Ansari
Resident of Village - Chhotka Itwas, P.S. Kalaiya, District - Bara (Nepal).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 12-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Adapur P.S. Case No. 200 of 2019 corresponding to NDPS Case No. 60 of 2019, registered for the offence punishable under Sections 8, 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act.

On a tip-off raid was conducted and 05 persons including petitioner were apprehended and 02 motorcycles were seized on the spot. From possession of co-accused Rahamtullah 14.9 Kg of Charas and from possession of co-accused Sanjay Kumar 14.4 Kg of Charas have been recovered.

It is submitted on behalf of the petitioner that no narcotic has been recovered from conscious possession of this



petitioner rather recovery of narcotic has been made from other co-accused persons which is apparent from the seizure list. Petitioner was simply pillion rider and he has got no knowledge of narcotic which were being carried on the motorcycle and he is in custody since 17.08.2019 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Sessions Judge/Special Judge, Motihari, East Champaran in connection with Adapur P.S. Case No. 200 of 2019 corresponding to NDPS Case No. 60 of 2019 subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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