

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.30819 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

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GAUTAM KUMAR SINGH Son of Ram Kumar Singh Resident of Village-
Bhagwanpur, Dadhiya, P.S.- Bochaha, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanchay Srivastava, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 24-09-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 20 and 22 of Narcotic Drugs And Psychotropic Substances Act.

As per FIR, 1 kg of Charas was recovered from possession of co-accused, Raja Kumar and on his confession that Gautam Kumar Singh (petitioner) is also involved in business of Charas, smack etc., petitioner was arrested.

It has been submitted on behalf of the petitioner that

he is innocent and has falsely been implicated in this case. It is further submitted that nothing was recovered from possession of the petitioner and name of the petitioner has surfaced in this case on the confessional statement made by the co-accused and except the said confessional statement, there is no any other incriminating material against the petitioner. Petitioner has no criminal antecedent and he is in custody since 22.01.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ahiyapur P.S. Case No. 47 of 2021 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

Sanjay/-

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