

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41422 of 2021

Arising Out of PS. Case No.-87 Year-2014 Thana- DAWATH District- Rohtas

SEKH KAMALUDDIN S/o- Jalaluddin Sekh Resident of Village- Khatira
Pchim Para, P.S.- Bardhman, District- Bardhman (West Bengal)....Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-12-2021 Let the defect (s) be removed within two weeks of
the complete start of the physical Court.

Heard the parties.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 20(B)
(C)29 of the N.D.P.S. Act.

In the year 2014, huge quantity of Ganja was
recovered from a private four wheeler. In the year 2016, the
holder of Power of Attorney of the owner of the said vehicle,
namely, Amit Kumar Sharma, disclosed that the petitioner was
driver of the vehicle on the date of recovery of Ganja.

Submission is that petitioner has got no criminal
antecedent prior to the present case rather he was made accused
in Bardhman P.S.Case No.970 of 2014 under Section 407 IPC
after this case. There is no explanation for this delayed
allegation against the petitioner.



Considering lack of direct material against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned court below where the case is pending in connection with Dawath P.S.Case No.87 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the 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 investigation/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 learned Trial Court.

(Birendra Kumar, J)

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