

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39647 of 2020**

Arising Out of PS. Case No.-03 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- East Champaran

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GAUTAM RAI @ GAUTAM KUMAR RAI, SON OF SHIVPUJAN RAY  
RESIDENT OF VILLAGE DAHIYAWA, NEAR UMANATH TEMPLE P.S.  
CHAPRA TOWN DISTRICT SARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      07-06-2021                      Heard Mr. Mukesh Kumar Singh, learned  
  
counsel for the petitioner and Mr. Manoj Kumar Singh,  
  
learned counsel for the NCB.

The petitioner seeks bail in anticipation of his  
  
arrest in connection with F.N.NCB / PZU / V / 03 /  
  
2020, dated 19.02.202, instituted for the offences under  
  
Sections 20(b) ii(C), 25 and 29 of the Narcotic Drugs  
  
and Psychotropic Substances Act, 1985.

Two persons, namely, Ajay Kumar and Rajan  
  
Kumar have been arrested with 50 kgs of *Charas*. One  
  
of them has disclosed before the police that the



consignment was meant to be delivered to the petitioner. Hence, the prosecution of the petitioner in the instant case.

The learned counsel for the petitioner has submitted that except for the confession of an arrested accused person, there is no other material to connect the petitioner with the alleged offence. He further submits that the petitioner has absolutely clean antecedents and has not been made accused in any case whatsoever in the past.

The learned counsel for the petitioner has also drawn the attention of this Court to the reason for one of the arrested accused persons to have falsely taken the name of the petitioner in his confessional statement.

Considering the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge / Special Judge NDPS Act, East Champaran, Motihari, in connection with F.N.NCB / PZU / V / 03 / 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

However, it is made clear that the petitioner shall participate in the investigation and his refusal to do so or in case of his non-cooperation, the bail granted to him shall be liable to be cancelled.

The application stands disposed off.

**(Ashutosh Kumar, J)**

skm/-

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