

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36929 of 2020

Arising Out of PS. Case No.-47 Year-2019 Thana- KISHANGANJ District- Kishanganj

Mursid @ Md. Murshid, aged about 21 years, male, Son of Akhtar @ Aktar,
Resident of Village - Kagajiya Basti, P.S. - Kishanganj, District -
Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 08-04-2021 Heard Mr. Ram Prawesh Kumar, learned Advocate

for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their
arrest in connection with Kishanganj P.S. Case No. 47 of
2019, dated 27.01.2019, giving rise to Special Case No.
03(A) of 2019, instituted for the offences under Sections 27
and 29 of the Narcotic Drugs and Psychotropic Substances
Act, 1985.



It appears that one Imtiyaz was arrested by the police and was found to be in possession of 1.400 grams of smack. He is said to have disclosed that the petitioner and others consumed and possessed such narcotic substance.

The learned counsel for the petitioner has submitted that accusation against him is only on the basis of confession of an arrested accused person. Beyond the afore-noted confession, there is no other material to connect the petitioner with the offence.

The petitioner was earlier made an accused in a case of minor nature but in the aforesaid case, he is on bail.

Regard being had to the facts afore-stated, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 47 of 2019, giving rise to Special Case No. 03(A) of 2019,



subject to the conditions laid down under Section 438(2) of
the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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