

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36928 of 2020

Arising Out of PS. Case No.-23 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

Natwar Barman, male, aged about 29 years, son of Nilen Barman, R/o Village
Chekdara Balrampur, P.S- Topganj, District- Kochibar, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranvir Kumar, Advocate
For the State	:	Dr. Mrityunjaya Kumar Gautam, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 02-02-2021

Heard Mr. Ranvir Kumar, learned counsel for the petitioner and Dr. Mrityunjaya Kumar Gautam, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

2. The petitioner is in custody in connection with Special Case No. 23 of 2019 arising out of P.R. No. 37 of 2019, instituted under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The allegation against the petitioner is that he was caught near the Bihar-West Bengal border and from the sack being carried by him, 4 kgs. of *ganja* was recovered.

4. Learned counsel for the petitioner submitted that the petitioner does not speak Hindi and because the police was



demanding illegal gratification from him, he could not understand or satisfy, he has been falsely shown to be carrying 4 kgs. of *ganja*. It was submitted that the petitioner having no criminal antecedent is in custody since 13.09.2019. It was submitted that even the said amount is much less than commercial quantity.

5. Learned APP submitted that 4kgs. of *ganja* has been recovered from the petitioner. However, he could not controvert the fact that it is much below the commercial amount.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, NDPS Act, Purnea in Special Case No. 23 of 2019 arising out of P.R. No. 37 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses.



Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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