

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6034 of 2021

Arising Out of PS. Case No.-300 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

GOLU KUMAR S/O UMESH PRASAD Resident of Village - Jhapha Udan,
P.S. - Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE ZONAL DIRECTOR NARCOTICS CONTROL BUREAU PATNA
PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Ahiyapur P.S. Case No.300/2020 registered for the offence punishable under Sections 20/22 of the NDPS Act.

As per the prosecution case, during patrolling duty, informant saw four persons including the petitioner getting



down from an auto-rickshaw having bags in their hands. On suspicion, informant reached near them, then they started fleeing away but were apprehended. Recovery of several quantity of Ganja and mobiles have been made from their possession.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. He has been falsely implicated in this case only on suspicion. No incriminating article has been recovered from his conscious physical possession. The petitioner has no concern with the said auto or the bag from which recovery has been made. The recovery of 1 Kg. of Ganja is small quantity. Similarly situated co-accused has been granted bail vide Cr. Misc. No.32512 of 2020 dated 09.12.2020 by a co-ordinate Bench of this Court. The petitioner has one criminal antecedent and has been languishing in custody since 10.03.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned



District and Sessions Judge-cum- Spl. Judge, N.D.P.S. Act,
Muzaffarpur in connection with Ahiyapur P.S. Case
No.300/2020, subject to the following conditions:

(1) One of the bailors will be his own blood relative,
preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any
similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in
the court on each and every date during trial and in the event of
failure on two consecutive dates without sufficient reasons, his
bail bonds shall be liable to be cancelled by the learned court
concerned.

(4) The petitioner shall co-operate with the investigation,
if not already concluded and make himself available and when
so required and in case of failure, the State shall be at liberty to
move for cancellation of bail.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

