

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83885 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- KUDRA District- Kaimur (Bhabua)

CHANDAN UPADHYAY Son of Chandra Shekhar Upadhyay Resident of
Village - Lily, P.S.- Karamchat, District - Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sandeep Sahi, Adv
	:	Mr. Santosh Kumar Pandey, Adv
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 05-04-2021 Heard the parties.

Petitioner seeks bail in a case registered for the offences punishable under Sections 8/20(b)(ii)(c),27(a) of the N.D.P.S. Act.

Recovery of 21 Kg. of Ganja is alleged from possession of co-accused-Amit Kumar and Baij Nath Yadav. The petitioner was not there at the time of recovery. However, those persons, while in police custody, stated that the Ganja was to be carried to the petitioner. Thereafter, business premise of the petitioner was raided and the petitioner was apprehended.

Submission is that the accused persons, from whose possession, Ganja was recovered, have already been allowed bail by a Coordinate Bench of this Court. Petitioner has got no



criminal antecedent. He is in custody since 29.03.2018.

The report of the learned Trial Judge would reveal that no prosecution witness has turned up up-till-now.

Considering entire facts aforesaid, let the petitioner, above named, 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 N.D.P.S. Case No.04 of 2018 arising out of Kudra Police Station Case No.106 of 2018 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the 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 trial Court.

(Birendra Kumar, J)

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