

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8618 of 2020

Arising Out of PS. Case No.-7 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

-
1. GYAN SINGH S/o Late Baldev Singh R/o Village- Badpur @ Badbar, P.S.-
Dhamaula, Distt- Sangrur (Punjab)
 2. Ajaib Singh S/o Ajit Singh Resident of Village- Tibbi Basti, P.S.-
Dharamgarh, Distt- Sangrur, (Panjab)

... .. Petitioner/s

Versus

UNION OF INDIA Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Ms. Shail Kumari, CGC]
For the State : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

13 08-06-2021

Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Sections 8 and 20 (C) of the N.D.P.S. Act.

Allegation is recovery of 176.00 kg. Ganja from a truck in which petitioners were travelling.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. It is further submitted that petitioner no.1 is driver and

petitioner no.2 is khalsi of the aforesaid truck and they have nothing to do with the seized ganjga. It is contended that charges were framed on 10.05.2018 but not a single witness has been examined as yet. Petitioners are in custody since 09.03.2017, i.e., more than 4 years. Petitioners have no criminal antecedent. From the voluntary statement recorded of petitioners, it appears that they are only carrier of ganja who loaded contraband article on payment of Rs.20,000/- for its transportation.

Considering the aforesaid facts and circumstances of the case and period of custody, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Spl. Case No.40/2017 arising out of F.No. N.C.B./PZU/V/07/2017 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail

bonds shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

Sanjay/-

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

(S. Kumar, J)