

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56331 of 2021

Arising Out of PS. Case No.-161 Year-2021 Thana- RANIGANJ District- Araria

MITHILESH KUMAR SAH S/O Bipin Sah Resident of Village - Mirzapur
Ward No. 07, P.S. - Simraha, District – Araria. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-03-2022 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 21 and 25 of the N.D.P.S. Act.

Informant who is a police officer has alleged in his written complaint that while he was on patrolling duty along with other police personnel on 12.06.2021 at around 08:00 p.m., while he was checking the vehicle, a car stopped at a distance and two persons started fleeing away from the said car, however, they were chased and nabbed and from the car total 75 litres 400 ML. Wirof cough syrup was recovered and seized from the said vehicle.

It is submitted on behalf of the petitioner that he is innocent and has been implicated in this case on suspicion. Nothing was recovered from his possession and even the alleged recovery is less than commercial quantity. Petitioner has no

criminal antecedent and he is in custody since 13.06.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Raniganj P.S. Case No.161/2021 (Special Case No. 17/2021), with following conditions:-

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

(2) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers 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 petitioner.

(S. Kumar, J)

Sanjay/-

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