

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33317 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- AMAS District- Gaya

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SHAMBHU SAO @ SHAMBHU SAW son of Late laxmi Sao R/o- Amas
Bazar Ps- Amas, Dist- Gaya,Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection
with Amas P.S. Case No.66 of 2023 instituted under Sections
8(c),20,29,35 of the NDPS Act lodged on 16.02.2023 by the
informant Navin Kumar Vats.

As per the FIR, S.I. Navin Kumar Vats of Amas P.S.,
Gaya, proceeded with other Police officials and constables
raided the Hotel of one Pappu Yadav and from his possession,
25 smac packets of 'Ganja' (weighing 100 gm) was seized and
on the disclosure of the said Pappu Yadav, the shop of the
petitioner was searched and another 281 small packets weighing
750 gram of 'Ganja' was/were seized and he is said to have



been arrested and taken into custody. Accordingly, the FIR.

It has been submitted by learned counsel for the petitioner that on the confession of Pappu Yadav a shop was searched and around 750 gm. 'Ganja' was recovered/seized and accordingly arrested.

He submits that he has been implicated in this case only because he had criminal antecedent and further the said Pappu Yadav has since been released on bail vide Cr. Misc. No.24073 of 2023 dated 09.05.2023.

Learned APP opposes the prayer the prayer stating that he has criminal antecedent.

Taking into account his period of custody since 17.02.2023 as also that similarly placed co-accused Pappu Yadav has been released on bail by a coordinate bench, as stated above, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each in connection with Amas P.S. Case No.66 of 2023 to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya, subject to following conditions:

- (i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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