

(2021) 02 PAT CK 0007

In the Patna High Court

Case No : Criminal Miscellaneous No. 36943 Of 2020

Chhotu Singh @ Ritesh Singh @ Uday Narayan Singh

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 02-02-2021

Acts Referred:

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 21(a)

Citation : (2021) 02 PAT CK 0007

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Rajani Kant Pandey, Rana Randhir Singh

Final Decision : Disposed Of

Judgement

1. Heard Mr. Rajani Kant Pandey, learned counsel for the petitioner and Mr. Rana Randhir Singh, learned Additional Public Prosecutor (hereinafter

referred to as the "APP" for the State.

2. The petitioner is in custody in connection with NDPS Case No. 20 of 2020 arising out of Kudra PS Case No. 212 of 2020 dated 12.07.2020,

instituted under Section 21(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The allegation against the petitioner is that from his pocket, 1.460 grams of heroin was recovered in five packets and Rs. 3500/-.

4. Learned counsel for the petitioner submitted that he has been falsely implicated by the police for oblique reasons. It was submitted that against the

petitioner there is one case of fight between the agnates and another case under the NDPS which was earlier in time in which the petitioner was not

accused but after being arrested in the present case he has been made accused in that case also. It was submitted that the petitioner is in custody

since 13.07.2020.

5. Learned APP submitted that from the petitioner heroin was recovered.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail

upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions

Judge-cum-Special Judge, Kaimur at Bhabua in NDPS Case No. 20 of 2020 arising out of Kudra PS Case No. 212 of 2020, subject to the conditions

(i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good

behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity,

act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the

bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each

and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail

bonds.

7. The application stands disposed off in the aforementioned terms.