

(2020) 12 JH CK 0059
In the Jharkhand High Court
Case No : Bail Application No. 9375 Of 2020

Nijar Khan @ Nezar Khan @ Nejar Khan	APPELLANT
Vs	
State Of Jharkhand	RESPONDENT

Date of Decision : 10-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 272, 414
Drugs and Cosmetics Act, 1940 — Section 27(b)(ii)
Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 21(B)

Citation : (2020) 12 JH CK 0059

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Mohit Prakash, R.R. Ravi Das

Judgement

Heard the parties through Video Conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioner the defects pointed out by the Stamp Reporter are ignored for the present.

The petitioner has been made accused in connection with Gumla P.S. case no. 321 of 2019 (NDPS case no. 16 of 2019) instituted under sections

414/272 of the Indian Penal Code and section 27 (b) (ii) of Drugs and Cosmetics Act, section 21 (B) of NDPS Act.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the co-accused from whom cough syrup

containing narcotic drugs was seized, stated before the police that he purchased

the cough syrup from the petitioner and the co-accused of the petitioner has been released on bail by a co-ordinate Bench of this court vide order dated 16.12.2019 passed in BA no. 11280 of 2019. It is then submitted by learned counsel for the petitioner that the allegation against the petitioner is false. It is further submitted by learned counsel for the petitioner that the petitioner has been in jail custody since 01.07.2020 as mentioned in paragraph 1 of the bail application and the petitioner is ready and willing to co-operate with the trial of the case hence, the petitioner may be released on bail.

Learned Addl. P.P. opposes the prayer for bail of the petitioner. Considering the facts of the case, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gumla in connection with Gumla P.s. case no. 321 of 2019 (NDPS case no. 16 of 2019) subject to the condition that the petitioner will co-operate with the trial of the case.