

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39003 of 2021**

Arising Out of PS. Case No.-75 Year-2021 Thana- MAJORGANJ District- Sitamarhi

Taukir Khan@ Taukir Raza Khan Son of Late Nurul Hoda Khan Resident of
Village- Jale, P.S.- Jale, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 30-09-2021 Heard both parties.

The petitioner seeks bail in Mejorganj P.S. Case No. 75 of 2021, registered for the offence punishable under Sections 8, 20(b)(II(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

As per the prosecution case, 04 KG of Ganja has been recovered from possession of co-accused Rupa Devi sitting inside the tempo of this petitioner who is driver of the said tempo.

It is submitted on behalf of the petitioner that Ganja was recovered from possession of Rupa Devi which is kept near her feet. Petitioner has got nothing to do with the alleged recovery and has got no knowledge about the nature of consignment being carried by the co-accused Rupa Devi and he



was simply driving the vehicle. Petitioner has been made accused in this case because he is driver of the tempo in question. Petitioner is having clean antecedent and he is in custody since 04.05.2021. Chargesheet has already been submitted.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Sitamarhi in connection with Mejorganj P.S. Case No. 75 of 2021, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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