

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A.No. 9327 of 2021

Surmakh Singh Petitioner

Versus

The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND

For the petitioner : Mr. Anil Kumar, Advocate

For the State : Mr. Ravi Prakash, Spl.P.P.

03/ 23.12.2021 This bail application is on behalf of applicant Surmakh Singh with a prayer to release him on bail in case crime being Chauparan P.S. Case No. 165 of 2021 (District- Hazaribagh), registered for the offence under Sections 414/34 of the Indian Penal Code and 17(c)/18(c) of NDPS Act.

Learned counsel for the applicant has submitted that FIR of this case was lodged by the police officer with the allegation that the police party intercepted the vehicle which was being driven by one person who was driver cum owner of the same namely Manindarjit Singh and another person who accompanied him in the very vehicle was Surmakh Singh alleged to be the Khalasi and 17 kg + 5Kg, total 22 kg Doda and 1.5 kg of Opium was recovered from the vehicle. It is also further submitted that there is no independent witness of public of the seizure memo of contraband which was recovered from the vehicle and the quantity of the contraband was below the commercial quantity and the applicant who is the Khalasi/ cleaner of the vehicle has been languishing in jail since 17.04.2021.

Learned Spl.P.P. appearing on behalf of the State has vehemently opposed the contention made by the learned counsel for the applicant and contended that the doda and opium was being purchased by the applicant and the same was being carried to Punjab.

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In view of the submissions made and considering the materials available on record this bail application is allowed. Let the applicant, namely, Surmakh Singh, be released on bail on furnishing bail bond of Rs. 35,000/- (Thirty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Cum Principal District Judge, Hazaribagh in connection with Chauparan P.S. Case No. 165 of 2021.

(Subhash Chand, J.)

Rajnish/