

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8944 of 2015

Arising Out of PS.Case No. -136 Year- 2014 Thana -BRAHMPUR District- BUXAR

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Motilal Yadav, son of late Jai Ram Yadav, resident of village-Dheka, P.S.-
Krishna Braham, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudal Singh, Advocate

For the Opposite Party/s : Mr. Anil Kr. Singh 1, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 03-03-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offence under Section(s) 20(b) (ii) (c)/27-A and 29 of the NDPS
Act and Section 47-A of the Excise Act.

Considering that only 500 gr. Ganja was recovered
from the possession of the Petitioner, who has fair antecedents,
and his younger brother, Tarkeshwar Yadav, undertakes his
responsibility, let the Petitioner, above named, be released on bail
on furnishing bail bond of ₹5,000/-(Five Thousand) with two
sureties of the like amount each or any other surety to be fixed by
the Court below to the satisfaction of the Special Judge, Buxar, in
connection with NDPS Case No.09 of 2014 arising out of
Brahampur (Krishna) P.S. Case No.136 of 2014, subject to the
conditions:

(i) That one of the bailors will be a close relative of

the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner and another bailor shall be brother of the Petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner,

- (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and, if he is, he shall not be released on bail,
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse,
- (iv) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, and
- (v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

JA/-

(Anjana Prakash, J)

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