

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1083 of 2015

Arising Out of PS.Case No. -90 Year- 2014 Thana -MAINATAND District-
WESTCHAMPARAN(BETTIAH)

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Arvind Kumar Mishra Son of Late Babu Mishra, Resident of Village-Hlaj
Chhapara, P.S.-Goraiya Kothi, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Zonal Director, Narcotic Control
Bureau, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party No.1 : Mr. H.A.Khan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-03-2015 Heard the parties.

The petitioner seeks bail in a criminal prosecution
registered under Sections 20, 22, 23, 24, 27(A)/29 of the N.D.P.S.
Act.

Taking into consideration the fact that there is allegation
of recovery of only 4 Kg. of Nepali ganja and the petitioner is in
judicial custody since 03.12.2014 and further taking into
consideration that he is the first offender, as no other criminal
case, except the present one, is said to be pending against him, the
prayer for bail of the petitioner is allowed. The petitioner above
named is directed to be released on bail on furnishing bail bond of
Rs. 25,000/- with two sureties of the like amount each to the
satisfaction of the learned Sessions Judge, East Bettiah, West
Champaran in connection with N.D.P.S. Case No. 30/14 arising
out of Mainatand P.S. Case No. 90 of 2014, subject to the
conditions that:

- (A) Both the bailors of the petitioner shall be his
parents only,

- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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