

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49662 of 2015

Arising Out of PS.Case No. -208 Year- 2014 Thana -GARDANIBAGH District- PATNA

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1. Santosh Kumar @ Santosh Rai , age 26 years Son of late Jagdish Rai
Resident of Mohalla- Dirhachak, Anisabad, P.s Gardanibagh, Dist Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Dr.Kumar Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 22 and 22 of the Narcotic Drugs and
Psychotropic Substance Act.

The police in plain dress went near Lal Mandir
Anisabad showing themselves to be prospective purchaser of
smack. A person take him in the lane and as soon his
associates was giving the Puriya of smack to him, in the
meantime the raiding party apprehended both the persons and
from the possession of Raju Kumar smack was recovered.

Learned counsel for the petitioner submits that smack
was not recovered from the possession of the petitioner. The

petitioner is in custody since 1.6.2014.

Having considered the facts and circumstances of the case and looking to the period of custody, let the petitioner, Santosh Kumar alias Santosh Rai, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VII-cum- Special Judge N.D.P.S., Patna in connection with Special Case No.45 of 2014 arising out of Gardanibagh P.S. Case No.208 of 2014, subject to the conditions that (i) one of the bailors shall be a close relative of the petitioner (ii) If the petitioner is found involved in future in similar type of case the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order including cancellation of bail and (iii) petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates, the court below will be at liberty to cancel the bail bonds of the petitioner.

Vinay/-

(Shivaji Pandey, J)

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