

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48096 of 2014

Arising Out of PS.Case No. -11 Year- 2014 Thana -KHUTAUNA District- MADHUBANI

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Nageshwar Mukhiya @ Nageshwar Yadav Son of Chatru Mukhiya resident
of village- Kariya Navtol, Police Station- Supaul, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hira Jha

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 03-03-2015 Heard learned counsel for the petitioner and Mr. Uday
Pratap Singh, learned APP for the State.

The petitioner seeks bail in Khutauna P.S Case No. 11 of 2014 instituted under sections 22, 23, and 24 of the NDPS Act. As per the prosecution case, on getting secret information, the informant went to the temple wherefrom a bag containing 15 kg of Ganja was recovered. One person was seen escaping therefrom. On chase he was apprehended in presence of the witnesses.

The contention of the petitioner is that the seized quantity does not come under the purview of the commercial quantity and the same has not been recovered from the conscious possession of the petitioner. He is in custody since 05.03.2014

having no criminal antecedent.

In the facts and circumstances of the case, the petitioner abovenamed is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 1st Addl. Sessions Judge-cum-Special Judge, Madhubani in G.R. No. 2/14, T.R. No. 04/14 arising out of Khutauna P.S. Case No. 11/14 on conditions that one of the bailors shall be own/close family member of the petitioner who shall appear on all the dates fixed at the trial. In the event of framing of charge, the petitioner shall appear in person on all the dates fixed at the trial. In case of default in doing so on two consecutive dates the trial court shall cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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