

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31798 of 2015

Arising Out of PS.Case No. -68 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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1. Arjun Kumar Mahto S/o Sri Kamaldeo Mahto Resident of village - Panr,
P.O. Chak Wahauddin, P.S. Dalsinghsarai, District - Samastipur

.... Petitioner/s

Versus

1. The Union of India through Intelligence officer, Narcotic Control
Bureau, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal,
Mr. Dhananjaya Nath Tiwari. (Adv.)

For the Dept : Mr. Raj Kamal (Adv.)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 05-11-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Special
Case No. 68 of 2014 registered for the offences punishable under
Section 8/20 of the N.D.P.S.Act.

It appears that 18.930 Kg Ganja was recovered from
possession of the petitioner and the petitioner is in custody since
10.10.2014.

Submission is that the recovered Ganja does not come
under the purview of commercial quantity and mandatory
provision of N.D.P.S. Act has not been followed and, as such,
petitioner deserves sympathetic consideration.

Learned counsel for the Narcotic Control Bureau opposes the prayer of bail by submitting that trial has been started.

In the facts and circumstances stated above, considering that the petitioner is in custody for more than a year and there is no chance of his absconding or tampering with the prosecution evidence and, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional Sessions Judge VI, Patna arising out of Special Case No. 68 of 2014 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)