

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53612 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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1. Sujit Kumar alias Sujeet Kumar son of Mahendra Singh resident of
Mohalla- Magadh Colony Road No.11, P.S.- Magadh Medical, Gaya,
District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal

For the Opposite Party/s Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 30.11.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

1 kg 750 grams ganja is said to have been recovered from
the house of the petitioner and the petitioner was arrested on the spot.
It is also stated that one Praveen Kumar @ Tinku was also arrested
from the house of the petitioner and 4 kgs ganja were recovered from
his conscious possession.

Prior to institution of this case one Magadh Medical P.S.
Case no. 08/2014 was registered against the petitioner and in the
aforesaid case, petitioner was granted bail.

The contention on behalf of the petitioner is that prior to
institution of Magadh Medical P.S. Case no. 08/2014, there was no
criminal antecedent of the petitioner and, as a matter of fact, police
lodged the above stated Magadh Medical P.S. Case no. 08/2014 with

malicious intention and when petitioner was granted bail in the aforesaid case, police, again, lodged this false case against the petitioner. It is also pointed that out that co-accused Praveen Kumar @ Tinku has already been granted privilege of bail by a coordinate bench of this court vide order dated 10.11.2015 passed in Cr. Misc. no.50153/2015.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Gaya in M.M.C.H. P.S. Case no. 85/2015.

However, it is made clear that if the petitioner is found involved in similar nature of the case in future, the concerned court shall be at liberty to cancel the bail bonds of the petitioner after due and proper enquiry.

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(Hemant Kumar Srivastava,J)

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