

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56973 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

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1. Mallo @ Kutubuddin Son of late Bashiruddin@Tandel Resident of Village- Rajganj, Police Station- Pirpainty,District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Anuj Kr.Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2015 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 13.10.2015 in a case registered for the offences punishable under Sections 29(B) and 22 of NDPS Act.

From the house of co accused Md. Khursid Alam 13.500 kgs. of ganja was recovered. Md. Khursid named the petitioner and Md. Humayu is his associate. Subsequently, at the instance of Khursid 8.500 kgs. Of ganja and five bags of five kgs. Of ganja each were recovered from the house of Amiruddin though there is no recovery from the petitioner.

It is submitted by the learned counsel for the petitioner that on confession of co accused Khursid, the petitioner has been roped in the present case though the petitioner is accused in three

other cases, the two being under NDPS Act but they were registered in 2007. It is further submitted that similarly situated accused Md. Humayu has been granted bail vide Cr. Misc. No. 11282 of 2015.

Considering the fact that there is no recovery from the petitioner, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhagalpur in connection with Pirpainty P.S. Case No. 20 of 2015.

Considering the criminal antecedent of the petitioner, the learned court below shall be at liberty to cancel the bail bonds of the petitioner in case the petitioner gets substantially involved in similar offence or defaults without any reasonable cause on three consecutive occasions.

(Dinesh Kumar Singh, J)

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