

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49469 of 2015

Arising Out of PS.Case No. -63 Year- 2012 Thana -BARACHATTI District- GAYA

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1. Kailu Paswan Son of Mahabir Paswan.
2. Jagdish Paswan son of Deoki Paswan.
3. Kuleshwar Paswan son of Deoki Paswan All are Resident of Village –
Salaiya P.s Mohanpur District Gaya. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar

For the Opposite Party/s : Mr. Khurshid Anwar(App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**

ORAL ORDER

3 16-12-2015 Petitioners apprehend their arrest in a case under

sections 15, 18 of N.D.P.S. Act.

The petitioners submit that they are neither the owners of the land on which Posta plants were cultivated nor had they cultivated the said plants. Further, the Superintendent of Police has found the allegation to be incorrect against some of the accused persons. Petitioners further submit that some of the co-accused who were roped in similar case bearing Barachatti (Mohanpur) Police Station case no. 64 of 2012 have already been allowed anticipatory bail vide orders dated 26.8.2015, passed in Cr. Misc.Nos. 34042, 43046 & 28554 of 2014.

In the facts and circumstances of the case, if the petitioners as mentioned above surrender and pray for regular

bail within six weeks from today and if their cases are similar to be that of Cr. Misc.Nos. 34042, 43046 & 28554 of 2014, then only they would be released on bail on furnishing bail bond of Rs.5,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in Barachatti Police station Case No. 63 of 2012, otherwise bail petition would be disposed of on its own merit without merit.

(Samarendra Pratap Singh, J)

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