

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20381 of 2015

Arising Out of PS.Case No. -66 Year- 2014 Thana -MAUZAHDIPUR District- BHAGALPUR
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1. Punil Singh Son of Sri Birendra Singh,
2. Binod Tiwari, Son of Late Churan Tiwari,
Both resident of village & P.S. - Tetuimari, District - Dhanbad
(Jharkhand). Petitioner/s

Versus

1. The State of Bihar.
2. Narcotics Control Bureau Patna Zone Unit. Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha
For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)
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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-06-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, petitioners are seeking bail in connection
with Mojahidpur (Babarganj) P.S. Case No. 66 of 2014 registered
for offences under sections 20 (b) (c), 26(c), 25 of the N.D.P.S.
Act.

Petitioners are driver of vehicle Nos. JH-10AJ-9875
and JH-05AW-5625 respectively, they were intercepted and from
the said vehicles 3 quintals and 10 quintals Ganja were recovered
in their presence. As petitioners could not produce the valid paper,
they were arrested.

The counsel for the petitioners submits that
petitioners are driver of the said vehicle, have nothing do with the
Ganja and other similarly situated persons, namely, Lalu Bhuiya

and Bablu Singh have already been granted bail by this Court in Cr. Misc. Nos. 6590 of 2015 and 40707 of 2014. Petitioners are in custody since 13th June 2014.

Looking to the period of custody of the petitioner, let petitioners, above named, be released on bail on their furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge N.D.P.S. Act, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 66 of 2014, subject to the condition that (i) one of the bailors shall be close relative of the petitioners (ii) if petitioners are found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of their bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioners would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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