

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35399 of 2014

Arising Out of PS.Case No. -35 Year- 2013 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Budhan Mahto @ Budhan Mahato Son of Mangal Mahato resident of
village- Belwa More, Police Station- Gaunaha, District- West Champaran
..... Petitioner

Versus

1. The State of Bihar
2. The Union of India
..... Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Adv.
For the Opposite Party : Mr. Atul Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 07-01-2015 Heard the learned counsel for the petitioner and the
opposite parties.

Earlier the bail petition of the petitioner was rejected in
Cr. Misc. No. 19590 of 2013 on 09.12.2013 with a direction to
frame charge and proceed with the trial so that the trial could be
concluded within four months. However, it is submitted that the
case ha not been concluded and no witness has been examined.

Hence, having regard to the facts and circumstances of
the case that the recovery regarding 14 Kg of ganja, which is not
commercial quantity and it is stated that the petitioner has no
criminal antecedent, the petitioner, above named, is directed to be
released on bail on furnishing bail bond of Rs.10,000/- (rupees ten
thousand) with two sureties of the like amount each in connection
with **Trial No. 54 of 2013/363 of 2014** arising out of Shikarpur
P.S. Case No. 35 of 2013 to the satisfaction of the **Additional
Sessions Judge, I, West Champaran at Bettiah**, subject to the
conditions that one of the bailors shall be a close relative of the
petitioner, who will file affidavit to the effect that the petitioner

has no criminal antecedent and the trial Court shall confirm the bail bond of the petitioner after due confirmation that the petitioner has no criminal antecedent and the petitioner shall appear in person in Court on each and every date, fixed in the case and any absence, on two consecutive dates, without any reasonable ground to the satisfaction of the Court below, shall be a ground of cancellation of bail of the petitioner by the lower Court itself.

(Gopal Prasad, J)

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