

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45966 of 2014

Arising Out of PS.Case No. -157 Year- 1986 Thana -BENIPATTI District- MADHUBANI

- =====
1. Mohit Paswan Son of Late Pragas Paswan
 2. Khaderu Paswan Son of Late Ramdeo Paswan, resident of village - Sirkhandi Bhitha, P.S. Sursand, District – Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Binod Kumar No. 3 (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 04-02-2015 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, petitioners are seeking bail in connection with Bennipatti P.S. Case No. 157 of 1986, G.R. No. 1614 of 1986 registered for offences under sections 8 and 23 of the NDPS, Act

The petitioner was granted bail earlier in the year 1986 itself and thereafter, he had gone outside the State in connection with his livelihood.

In the meantime, the Clerk, who was making proper steps in the case, has died and the bail bonds of the petitioners were cancelled in the year 2004. When petitioners could know about their cancellation of bail bonds, they themselves surrendered before the court below.

Looking to the facts and circumstances of the case, let the 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 learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani, in connection with Bennipatti P.S. Case No. 157 of 1986, G.R. No. 1614 of 1986, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner 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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