

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58592 of 2015

Arising Out of PS.Case No. -162 Year- 2015 Thana -GUTHNI District- SIWAN

Vinod Gond Son of Late Ramjit Gond Resident of village + P.O. Guthani,
Police Station Guthani Distt Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Asha Kumari (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

04/ 11-04-2016

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since 22.09.2015 in a case registered for the offences punishable under Sections 21 and 22 of the NDPS Act.

From the possession of the petitioner about ten gms. of Heroin were recovered.

It is submitted by learned counsel for the petitioner that the seizure list does not bear the signature of the petitioner and the quantum of recovery has been mentioned on the basis of speculation as no exact weight has been taken while making the seizure list.

A statement has been made in paragraph 3 of

the petition that the petitioner has no criminal antecedent.

Learned APP after going through the case diary submits that the recovery has been made from the petitioner, though, does not dispute this fact that the seizure list does not bear the signature of the petitioner.

Considering the recovery between small and commercial quantity and the petitioner has no criminal antecedent coupled with the fact that the investigation has already concluded, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Siwan in connection with Guthani P.S. Case No. 162 of 2015.

The learned court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities i.e. if he defaults for three consecutive occasions or substantially gets involved in similar nature of offence.

(Dinesh Kumar Singh, J)

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