

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26 of 2016

Arising Out of PS.Case No. -77 Year- 2015 Thana -MARANCHI District- PATNA

=====

1. Karelal Rai aged about 32 years, son of Nunu Babu Rai Resident of Village- Rachiyahi Purana tola, P.s Matihani, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Om Prakash Maharaj

For the Opposite Party/s : Mr. Pramod Kumar Pandey (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-02-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Maranchi P.S. Case No. 77 of 2015 registered for the offences punishable under Sections 20 and 22 of the Narcotics Drugs and Psychotropic Substance Act.

Allegedly, the petitioner tried to flee away carrying a bag but was apprehended and during search from the bag 7 kg of Ganja was recovered and from possession of co-accused nothing was recovered and as he was driving motorcycle.

Submission is of false implication and that the petitioner has been made victim of the circumstances, he has got no criminal antecedent, co-accused Raj Kumar has already been

allowed bail by another co-ordinate Bench of this Court, the recovered quantity does not come under the purview of commercial quantity and it is much less. Charge-sheet has been submitted without F.S.L. report and further there is no compliance of mandatory provision of N.D.P.S. Act.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention of the petitioner now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional District and Sessions Judge, XI, Patna, in connection with Maranchi P.S. Case No. 77 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

siddharth/-

U		T	
---	--	---	--