

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36000 of 2016

Arising Out of PS.Case No. -332 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

1. Salamuddin Son of Nizamuddin Idrishi Resident of village- Badi Bazar
Mohania, P.S.- Mohania, District- Kaimur (Bhabua).... Petitioner
Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 07-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 18.01.2016 passed in Cr. Misc. No. 53783 of 2015, on the ground that the petitioner is in custody since 02.09.2015, the alleged recovery of 55 Grams Heroin does not come under the purview of commercial quantity which is 250 grams and trial has not been concluded within six months and in near future the trial is not likely to be concluded as up-till-now out of 11 chargesheet witnesses only two witnesses have been examined.

Learned APP submits that the trial is going on.

In the facts and circumstances stated above, the petitioner above named 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 Sessions Judge-I-cum-Special Judge, Kaimur (Bhabua) in N. D.P.S. Case No. 03 of 2015 arising out of Mohania P.S. Case No. 332 of 2015, subject to the condition that the petitioner shall not try to tamper with the prosecution evidence in any way by or on behalf of the petitioner, shall give liberty to the concerned court to cancel the bail bonds of the petitioner by giving sound reasoning after due and proper inquiry, that one of the bailors must be a 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.

avin/-

(Jitendra Mohan Sharma, J)

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