

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30141 of 2016**

Arising Out of PS.Case No. -2 Year- 2016 Thana -JOGBANI District- ARRARIA

Kailash Kumar Mandal, S/o- Late Badri Mandal, R/o- Nababganj, P.S.-  
Kursela, District- Katihar

.... .... Petitioner

Versus

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

.... .... Opposite Parties

**Appearance:**

For the Petitioner/s : Mr. Sanjeev Kumar Singh  
For the State : Mr. Arbind Kumar Pandey, APP  
For the Union of India : Mr. Manoj Kumar Singh,

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

4 31-08-2016

Heard learned counsel for the petitioner, learned  
counsel for the Union of India and learned counsel for the State.

In this case, the petitioner is seeking regular bail in  
connection with Special Case No. 01 of 2016, arising out of  
Jogbani (Bathnaha) P.S. Case No.02 of 2016, registered for the  
offence punishable under Section 22 / 23 of the N.D.P.S. Act.

The Senior Superintendent of Police has seized 3.1  
Kg. of *ganja* from the possession of the petitioner. The  
petitioner is in jail since 07.01.2016, having no criminal  
antecedent.

Having considered the facts and circumstances of the  
case, let the petitioner-Kailash Kumar Mandal 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 the District and Sessions Judge, Araria, in connection with Special Case No.01 of 2016, arising out of Jogbani (Bathnaha) P.S. Case No. 02 of 2016 subject to the conditions that:-

(i) one of the bailors will be a close relative of the petitioner i.e. mother/father/ wife/son of the petitioner;

(ii) if the petitioner is found involved in similar type of case in future, 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;

(iii) that the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel the bail bonds of the petitioner and;

(iv) that the petitioner shall mark his presence to the nearest police station by 7<sup>th</sup> of every month till six months.

**(Shivaji Pandey, J)**

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