

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56858 of 2015

Arising Out of PS.Case No. -54 Year- 2014 Thana -ALAMNAGAR District- MADHEPURA

1. Rajiv Kumar @ Raju Singh Son of Late Kumod Singh, Resident of
Village- Basanbara, P.S.- Alamnagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma

For the Opposite Party/s Mr. M.Rab(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 10.02.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected by this court taking note of this fact that petitioner allegedly cultivated cannabis plants on his field but learned counsel for the petitioner drew my attention towards first information report and submitted that in the first information report, informant admitted this fact that independent witnesses disclosed before him that it was one Sanjay Singh who cultivated cannabis plants on the land of the petitioner. It is further submitted by him that petitioner is in jail custody since 30.1.2015 and earlier petitioner had filed Special Leave to Appeal before Hon'ble Supreme court but subsequently, the aforesaid Special Leave to Appeal was withdrawn and the Hon'ble Supreme court gave liberty to the petitioner to apply for bail afresh after some time. It is further submitted that even if the prosecution story assumed to be true, then

also, petitioner has sufficiently been punished by remaining in jail custody since long without any criminal antecedent.

Considering the aforesaid facts and circumstances as well as the period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum- Special Judge, Madhepura in Special case no. 02/2014 arising out of Alamnagar P.S. Case no. 54/2014.

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(Hemant Kumar Srivastava,J)

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