

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4610 of 2016

Arising Out of PS.Case No. -62 Year- 2014 Thana -SHEKHPURA District- SEKHPURA

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1. Upendra Mahto, son of Late Ram Prasad Mahto @ Prakash Mahto,
Resident of Village- Payen, P.S.- Sheikhpura, District- Sheikhpura,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Shailendra Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 11-05-2016

Heard.

Petitioner is in jail custody since 05.06.2015 on the accusation that huge quantity of foreign and country made liquor as well as 20 kilograms of Cannabis plants and 500 grams powder of ganja were recovered from his house.

Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 16.09.2015 passed in Cr. Misc. No. 42445 of 2015 but submission on behalf of the petitioner is that the seized cannabis plants as well as powder of ganja would come under the category of small quantity and so far as the seized liquor is concerned, petitioner has sufficiently been punished by remaining in jail custody for such a long period . It is further submitted that petitioner does not have any criminal

antecedent and, therefore, there is no possibility of indulging the petitioner in future in the case of similar nature.

The trial court has reported that the charge against the petitioner was framed on 5.08.2015 but up till now, not a single prosecution witness could be examined.

Considering the aforesaid facts and circumstances as well as present stage of trial, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge, Sheikhpura in connection with N.D.P.S.Case No. 01 of 2015 arising out of Sheikhpura P.S.Case No. 62 of 2014.

(Hemant Kumar Srivastava, J)

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