

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3297 of 2017

Arising Out of PS.Case No. -412 Year- 2016 Thana -SITAMARHI District- SITAMARHI

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Siyaram Sah, son of Shambhu Sah, Resident of Village- Goat Bazar
(Nuniya Tola), Ward No.6, P.S.- Sitamarhi, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Sri Nityanand

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sitamarhi
P.S. Case No. 412 of 2016 registered for the offences punishable
under Sections 20(B) II 6 of N.D.P.S. Act.

Allegedly, 1.3 kilogram Ganja like substance was
recovered from a bag and 2 persons Siya Ram Sah and Rahul
Kumar were apprehended and they disclosed the name of persons
who have succeeded in fleeing away as Shambhu Sah and Chinta
Devi.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner, the
petitioner has been made victim of circumstances, two persons
have been arrested including the petitioner and both are brothers



and only 1.3 kilogram Ganja has been recovered and as such the petitioner who is suffering in custody since 27.06.2016 deserves sympathetic consideration to which the learned APP submits that considering the period of detention now lenient view can be taken.

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 Special Judge, N.D.P.S. Act, Sitamarhi in connection with Sitamarhi P.S. Case No. 412 of 2016, subject to the conditions 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.

(Jitendra Mohan Sharma, J)

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