

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 29075 of 2017**

Arising Out of PS.Case No. -395 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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Md. Usman Son of Kalimuddin, Resident of Dhuliyan, Police Station-  
Dhuliyan in the district of Jangipur(West Bengal).

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Ajit Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2. 09-08-2017 Heard Sri Raj Kumar, learned counsel for the  
petitioner and learned Addl. Public Prosecutor.

This is the second attempt for grant of bail on behalf  
of the petitioner.

It was submitted by learned counsel for the petitioner  
that in case of recovery of only 7 Kg. & 200 gm. *Ganja*, that too  
from possession of co-accused, the petitioner has remained in jail  
for sufficient time. He tried to persuade the Court that petitioner  
was falsely implicated.

However, since on merit, the prayer for bail of  
petitioner was already rejected by this Court by order dated  
15-12-2016 in Cr. Misc. No. 44379 of 2016, there is no reason to  
entertain the prayer for bail on merit.



However, considering the quantity of the recovered *Ganja* as well as period of custody, let the petitioner namely Md. Usman be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge II-cum-Spl. Judge, Kishanganj in connection with Special Case No. 15 of 2016 (arising out of Kishanganj P.S. Case No. 395 of 2016), with condition that one of the bailor must be blood relation of the petitioner and secondly, during trial, the petitioner shall remain physically present on each and every date. It is clarified that if continuously on two dates, the petitioner remains absent, without prior permission of the trial court, his bail-bond shall stand automatically cancelled.

**(Rakesh Kumar, J.)**

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