

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28649 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -PATORI District- SAMASTIPUR

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1. Vishwajeet Sarkar, Son of Nitai Sarkar, Resident of Village- Bathua
Dehri, P.S. Nakkashi Para, District- Nadiya (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Patory P.S.Case No.60 of 2017, registered for offences punishable
under Sections 8, 15, 18, 46, 47 and 48 of the N.D.P.S. Act.

Allegation as per F.I.R. is that the police raided the
village- Hetanpur and found several persons involved in
cultivation of opium in their field, as such they were made
accused. So far this petitioner is concerned, it is said that he was
also involved in the cultivation of opium.

Submission of the learned counsel for the petitioner is
there is no allegation that there the petitioner was also making
cultivation of the same rater he has been falsely implicated in this
case as he has nothing to do with the same. Further submission is
that the another co-accused persons against whom there is



allegation of cultivation of opium has been released on bail by a Co-ordinate Bench of this Court, vide order dated 5.7.2017 passed in Cr. Misc. No.25918 of 2017. The petitioner is in custody for more than five months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Samastipur in connection with Patory P.S.Case No.60 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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