

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8978 of 2017

Arising Out of PS.Case No. -524 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ

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1. Sumeshwar Rai @ Suneshvar Rai, S/o Late Sukhdev Rai, resident of
village - Baraipatti, P.S. Jadopur, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with Gopalganj (Town) P.S.Case No.524 of 2016, registered for offences punishable under Sections 18, 20 (B)(i)9c), 22, 25 and 29 of the N.D.P.S. Act.

Allegation, as per the F.I.R., is that at the instance of the co-accused, the police recovered 01 kg. ‘*Ganja*’ from the house of the petitioner and further it appears from the report of the F.S.L. that the ganja was found containing THC (tetra hydro cannabinol), however, it is submitted on behalf of the petitioner that it is within a small quantity and another co-accused person from whom the same quantity of ganja as well as 40 cigarettes filled with cannabis recovered, has been granted bail by this Court, vide order dated



11.5.2017 passed in Cr. Misc. No.10856 of 2017.

Heard learned A.P.P. also.

Having heard both sides, though there is allegation of recovery of one kg. '*ganja*' containing THC (tetra hydro cannabinol), however, it appears that the co-accused has been granted bail, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gopalganj in connection with Trial No.36 of 2016 arising out of Gopalganj (Town) P.S.Case No.524 of 2016.

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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.



(Vinod Kumar Sinha, J)

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