

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 49329 of 2017

Arising Out of PS.Case No. -113 Year- 2017 Thana -SARAI RANJAN District- SAMASTIPUR

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Manoj Kumar Rai S/o Sri Ram Jatan Rai, R/o Village- Sirdilpur, P.S.-
Patori, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Bijay Bhushan Prasad, Advocate

For the S t a t e : Mr Ram Anurag Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered under
Sections 8, 20 (B) (ii) (B), 25, 29 of Narcotic Drugs and
Psychotropic Substances Act.

Allegation in the first information report is that on tip
off, the petitioner along with one Deepak Kumar was
apprehended. Allegation is that about 5 kgs of Ganja were
recovered from the possession of co-accused Deepak Kumar.
Petitioner's counsel submits that from the possession of the
petitioner, only one mobile phone has been recovered. It is also
submitted that the petitioner is a man of clean antecedent and on
this false and baseless allegation, the petitioner is in custody since



09.06.2017.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Samastipur in Sarairanjan Police Station Case No 113 of 2017 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and, thereafter, the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.



(v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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