

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51965 of 2017

Arising Out of PS.Case No. -243 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Jitendra Sah S/o Bineshwar Sah, R/o Village- Bidupur, P.S.- Bidupur,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 10.08.2017 in connection with a case registered for the offences punishable under Sections 8/20 (c) (II) B of the N.D.P.S. Act.

Learned counsel for the petitioner submits that it appears from the bare perusal of the First Information Report that the alleged recoveries were made from the conscious possession of one Munilal Rai and not the present petitioner. He has also submitted that he was also with him.

However, since the recoveries were not made from his conscious possession, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 243/2017, subject to the following conditions:-

- (1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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