

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55613 of 2016

Arising Out of PS.Case No. -365 Year- 2016 Thana -SHASTRINAGAR District- PATNA

=====

Chote Lal Gupta, Son of Mithilesh Prasad, resident of Village- Jamuon,
P.S.- Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Ram Priya Saran Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-02-2017 Heard the parties.

This application has been filed in connection with Shastri
Nagar P.S.Case No.365 of 2016 for the offence under Sections 56
of 2016 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is
alleged recovery of 357 grams of Ganja from the '*Gumati*' of the
petitioner and not from the conscious possession of the petitioner
and as a matter of fact, he is a vegetable seller. He has nothing to
do with the aforesaid recovery and he is in custody for about six
months. It is further submitted that he has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that there is
recovery of smaller quantity of Ganja from the '*Gumati*' of the



petitioner and he is in custody for about six months, 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 Additional Sessions Judge-X, Patna in connection with Shastri Nagar P.S. Case No.365 of 2016 (Special Case No.56 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)

chn/-

U			
---	--	--	--

