

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47991 of 2017

Arising Out of PS.Case No. -357 Year- 2017 Thana -BARACHATTI District- GAYA

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1. Anand Kumar, Son of Vishwanath Prasad, R/o Village- Bhagwati, P.S.-
Barachatti, District- Gaya.
2. Vikash Kumar, Son of Raj Kumar Prasad, R/o Village- Behalgarha, P.S.-
Barachatti, District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nikhilesh Kumar

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-11-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Barachatti P.S. Case No. 357 of 2017, registered for the offences punishable under Sections 18, 20, 22 and 29 of N.D.P.S. Act.

Allegation against the petitioners is of recovery of 6 kg. and 1 kg. of Doda Powder (poppy straw) respectively from the motorcycle.

Submission of learned counsel for the petitioners is that there is no specific allegation of recovery from them, rather there is general and omnibus allegation and moreover the seized article is quite below the commercial quantity as provided in the Notification. It is further submitted that they are in custody for about five months having no criminal antecedent.

Heard learned APP also.



Having heard both sides and in view of facts and circumstances, as stated above, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sessions Judge, Gaya, in connection with Barachatti P.S.Case No. 357 of 2017, subject to the conditions as follows :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioners will co-operate in trial and appear on each and every date in court and on failure to appear on two consecutive dates without any genuine ground or without permission of court, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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