

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2924 of 2017

Arising Out of PS.Case No. -24 Year- 2008 Thana -GOVERNMENT OFFICIAL COMP. District-
ARRARIA

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1. Naresh Mandal, age about 45 years, S/o Late Munshi Mandal, R/o
Village- Shankarpur Aurahi, P.S.- Simraha, Distt- Araria, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar. null null

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 25-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Special Case (District - Purnia) No.24 of 2008, registered for
offences punishable under Sections 18 and 8(b) of N.D.P.S. Act.

Allegation as per F.I.R. is that field of the petitioner
has been raided and 125 plants of the Opium have been seized
from there.

Submission of the learned counsel for the petitioner is
that the petitioner is in custody for about seven months and he has
filed supplementary affidavit showing that the plants have not
been sent for F.S.L. examination.

Heard learned A.P.P. and the learned counsel for the
Central Government. They could not controvert this fact that the



plants have not been sent to the F.S.L. Report of the Director of the F.S.L. is also available, which shows that no such article has been sent for F.S.L. examination in the present case.

Having heard both sides and in such view of the matter, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge (N.D.P.S. Act) Araria in connection with Special (NDPS Act) Case No.24 of 2008.

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 reason, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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