

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No 52682 of 2017

Arising Out of PS.Case No. -277 Year- 2017 Thana -BUDDHACOLONY District- PATNA

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Mohan Rai, S/o Ram Deo Rai, R/v- Baghra, P.S.- Patori, Distt.-
Samastipur at present residing at Budha Colony, tenant of Gyani Rai, P.S.
Budha Colony, Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Vijay Kumar Sinha, Advocate

For the State : Mr Ajay Kumar -2, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-11-2017

Counsel for the petitioner prays for and is granted
liberty to make correction in paragraph 3 regarding the date since
when he is in custody. It is submitted that the correct date is
19.08.2017.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered under
Sections 20/22 of Narcotic Drugs and Psychotropic Substances
Act.

Counsel for the petitioner submits that small quantity
(100 gms) of *Ganja* has been recovered from the possession of the
petitioner. It is further submitted that the petitioner has falsely
been implicated in this case. The petitioner was not arrested from
the spot and that there is no material to suggest that he was



indulging in any trade of the seized material. It is also submitted that the age of the petitioner is said to be 60 years and it is stated in the petition that there is no criminal antecedent against him prior to the instant case.

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/Special Judge, Patna in Special Case No 121 of 2017/Budha Colony Police Station Case No 277 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 petitioner will give an undertaking that he will receive the police papers on the given date and be present on 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.

(iii) 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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