

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14557 of 2017

Arising Out of PS.Case No. -57 Year- 2015 Thana -KOILWAR District- BHOJPUR

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VINOD KUMAR SAH @ VINOD SAH, son of Bishwanath Sah, Resident
of Village- Chhotaki Bishunpur, Police Station- Shahpur, District- Bhojpur
at Ara.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 26-04-2017 On 12.04.2017, the order was dictated by this Court in

this case but, later on, some discrepancies occur, due to that

reason, this case has been listed under the heading “To Be

Mentioned” at the instance of the Court.

Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Koilwar
P.S. Case No.57 of 2015, corresponding to N.D.P.S. Case No.02
of 2015, registered under Sections 20(B)I and 22 of the N.D.P.S.
Act.

The accusation is that on receiving secret information
about carrying the Ganja on a white colour Pick-up Bolero van,



the police started to checking the vehicles and, in that course, one pick-up van was seen coming. On giving the signal to stop the pick-up van, the driver of the pick-up van started to drive the vehicle in high speed but the driver of the vehicle was apprehended by the police on chase and on the pick-up van three persons alongwith the petitioner were found sitting. On search of the pick-up van, 110 Kilograms Ganja was recovered.

Learned counsel appearing on behalf of the petitioner submits that, earlier, the prayer of the petitioner for grant of bail was rejected by this Court vide order dated 17.02.2016 passed in Criminal Misc. No.46936 of 2015 with a direction to the trial court to conclude the trial of the petitioner as early as possible but till today, only two prosecution witnesses have been examined. The petitioner is in custody since 07.03.2015. Further submission is that the similarly situated co-accused Guddu Kumar, who was also apprehended by the police alongwith the petitioner, has already been granted bail by a Bench of this Court vide order dated 06.03.2017 passed in Criminal Misc. No.48644 of 2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



3rd Additional Sessions Judge, Ara, in connection with Koilwar P.S. Case No.57 of 2015, corresponding to N.D.P.S. Case No.02 of 2015. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner. Further, the petitioner shall attend the trial court on each and every date fixed in the case during the course of the trial. If the petitioner fails to attend the trial court on two consecutive dates during the course of the trial without any reasonable cause being shown, the trial court would be at liberty to cancel the bail bonds of the petitioner.

(Rajendra Kumar Mishra, J)

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