

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26863 of 2017

Arising Out of PS.Case No. -194 Year- 2017 Thana -GOGRI District- KHAGARIA

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Shrawan Mandal S/o Late Banarsi Mandal Resident of Village - Naval
Kishor Tola, P.S. - Gogri, District - Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Special

Case No. 03 of 2017, arising out of Gogri P.S. Case No. 194 of

2017 registered for the offence punishable under Sections 21

and 22 of the N.D.P.S. Act.

The prosecution case, as lodged by the police

personnel, is that on a secret tip-off, the petitioner was

apprehended while fleeing away and from his gumti 226 grams

of ganja was recovered. Accordingly, a seizure-list was

prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and that nothing has been recovered from his conscious possession. He submits that petitioner undertakes to cooperate with the investigation and will not tamper with the evidence or abscond.

However, learned A.P.P. for the State submits that the petitioner was apprehended by the police and from his gumti recovery was made, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum- Special Judge, Khagaria in connection with Special Case No. 03 of 2017, arising out of Gogri P.S. Case No. 194 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner, who would file an affidavit stating his relation with the petitioner and that the said bailor must have sufficient immovable properties within the territorial jurisdiction of the concerned P.S./ Court and petitioner undertakes to cooperate with the investigation and that he will appear before the Police/learned Court below on each and every date and failure



to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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