

IN THE HIGH COURT OF JUDICATURE AT PATNA

Arising Out of PS.Case No. -160 Year- 2017 Thana -BENIPATTI District- MADHUBANI

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1. Mukesh Kamat @ Mukesh Kumar Kamat, Son of Dinesh Kamat,
Resident of Village- Tisiyahi, Police Station- Benipatti, District-
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Thakur

For the Opposite Party/s : Smt. Nirmala Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 28-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner seeks bail in connection with G.R. No.17/17
arising out of Benipatti P.S.Case No.160/17 for the offences under
Sections 20,22, 24 of the N.D.P.S.Act.

The prosecution case, as lodged by the informant police
person is that on information the betel shop of the informant was
raided and from the shop 700 grams ganja kept in polythine bag
and 1030 cigarettes filled with ganja was seized. 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 a student and the shop belongs to his father and because he was present at the betel shop he has been made accused in the present case. Nothing has been recovered from his conscious possession and ganja recovered is less than commercial quantity. He submits that charge sheet has already been submitted, he is languishing in judicial custody since 2.7.2017.

However, learned A.P.P. opposed the prayer for bail stating that the contraband items were found in the betel shop of the petitioner.

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/- with two sureties of the like amount each to the satisfaction of Sessions Judge, Madhubani, in G.R. No.17/17 arising out of Benipatti P.S. Case No.160/17 subject to the conditions that (1) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The petitioner shall cooperate in disposal of trial and



make himself available as and when required by the court concerned and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, his bail bond shall be cancelled.

(Nilu Agrawal, J)

AnilKrSinha/-

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