

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6527 of 2018

Arising Out of PS.Case No. -134 Year- 2017 Thana -MUZAFFARPUR (R.T) District-
MUZAFFARPUR

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Heera Lal Sahni, Son of Late Bhutti Sahani, Resident of Village- Balua,
P.S.- Paharpur, District- East Champaran.

.... Petitioner

Versus

The Union of India (Through Director of Narcotic Drugs and
Psychotropic Substance Control)

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party: Mr. S.D. Sanjay, Addl. S. G.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned
counsel for the opposite party.

2. The petitioner is in custody since 15.09.2017 in
connection with Muzaffarpur Rail P.S. Case No. 134 of 2017 for the
offences alleged under Sections 20/22 of the Narcotic Drugs and
Psychotropic Substances Act.

3. It is submitted that the petitioner has been falsely
implicated in connection with the alleged recovery of 3.938 Kgs. of
ganja. It is submitted that the accusation is highly improbable as
the petitioner had merely gone to meet his son and it is hardly
likelihood that he would be carrying on the ganja as alleged.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case and having regard to the
period of custody of the above named petitioner since 15.09.2017,
let him be released on bail on furnishing bail bond of Rs.10,000/-
(ten thousand) with two sureties of like amount each to the
satisfaction of learned Sessions Judge-cum-Special Judge,
Muzaffarpur, in connection with Muzaffarpur Rail P.S. Case No. 134
of 2017, on the following conditions:-



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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