

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12248 of 2018

Arising Out of PS.Case No. -322 Year- 2016 Thana -BARACHATTI District- GAYA

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Guddu S/o Asgar, R/o Mohalla- Biranpur, P.S.- Kotwali, District- Fatehpur,
(Uttar Pradesh).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Panchanand Pandit

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 28-02-2018

Heard the learned counsel for the petitioner as

well as the learned A.P.P. for the State.

The petitioner wants to renew his prayer for bail which was earlier rejected by order dated 12.01.2017 passed in Cr. Misc. No. 55763 of 2016, on the ground that the petitioner is in custody since 20.08.2016, similarly situated co-accused Salman Khan and Rashid Khan have already been allowed bail, nothing has been recovered from conscious possession of the petitioner and further Jatish Saha has also been allowed bail vide Annexure-3 series.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from that of Salman Khan.

Under the circumstances, the petitioner above



named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, N.D.P.S. Act, Gaya in connection with Barachatti P.S. Case No. 322 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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