

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10221 of 2018

Arising Out of PS.Case No. -204 Year- 2017 Thana -BARACHATTI District- GAYA

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Murari Prasad Keshari, son of Late Krishan Prasad Keshari, Resident of
Village- Barachatti, Police Station- Barachatti, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Pratap Singh, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner, who is in custody since 21.04.2017, has renewed his prayer for bail in connection with Barachatti P.S. Case No. 204 of 2017 for the offences alleged under Sections 18 and 22 of the NDPS Act having earlier been withdrawn as permitted by order of this Court dated 13.11.2017 in Criminal Miscellaneous No. 51615 of 2017.

3. It is submitted that the petitioner has been falsely implicated and in any event, the quantity of 20 kg. of 'doda' said to have been recovered is less than the commercial quantity of 50 kg. It is further submitted that despite the seizure said to have been effected on 21.04.2017 yet no forensic test has been made with regard to the nature of the seized goods. The seizure list itself is doubtful as the same appears to have been prepared on 21.04.2017 at 6.30 a.m. and bears the case number whereas the FIR itself is said to have been instituted at 8.30 a.m. The petitioner claims clean antecedents.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named 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, Gaya in connection with Barachatti P.S. Case No. 204 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 co-operate 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.

(iv) 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.

(Vikash Jain, J)

Chandran/BT

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