

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28758 of 2018

Arising Out of PS.Case No. -288 Year- 2016 Thana -BEUR District- PATNA

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1. Arbind Kumar, S/o Nagdev Rai, Resident of Village- Meerampur, P.S.-
Raghopur, District- Vaishali, A/P- Purandarpur, C/o Shivjee Rai, P.S.-
Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar Sinha
For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-05-2018 Earlier prayer for bail of the petitioner was

dismissed thrice vide order dated 14.02.2017 passed in Cr. Misc.
No. 4308 of 2017, vide order dated 12.04.2017 passed in Cr. Misc.
No. 17741 of 2017 and vide order dated 20.12.2017 passed in Cr.
Misc. No. 47529 of 2017.

Submission of learned counsel for the petitioner
that the recovery in this case is of 4 k.g. of ganja, which is below
the commercial quantity and in the meantime other co-accused
having similar allegation has already been granted the privilege of
bail vide order dated 02.05.2018 passed in Cr. Misc. No. 27107 of
2018 and further there is no substantive progress in trial and
petitioner has been in judicial custody since 22.11.2016

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts as
well as in view of the order dated 13.09.2017 passed in Cr. Misc.



No. 42374 of 2017, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge –III, Patna, in connection with Special Case No. 91/2016 (arising out of Beur P.S. Case No. 288/2016), subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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