

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57912 of 2018

Arising Out of PS. Case No.-2 Year-2017 Thana- MAHUA District- Vaishali

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Gautam Kumar Singh @ Tuntun, son of Arun Kumar Singh, R/o Village &
P.O.- Khanpur Pakari, Police Station Bidhupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-10-2018 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in Mahua P. S. Case No.
02 of 2017 instituted for the offence under Section(s) 414 of
the Indian Penal Code and Section 25(1-b)A/26 of Arms Act and
Section 8/20(b)(ii)(3) of the N.D.P.S. Act .

It is alleged in the written report that police
intercepted one motorcycle and apprehended one person who
was driving the motorcycle and one person who was sitting on
the motorcycle managed to run away after throwing a plastic
bag.

Learned counsel for the petitioner has submitted that
4.5 Kg of ganja has been recovered from a plastic Bag. From the



seizure list, it appears that the ganja has not been recovered from the conscious possession of the petitioner rather from a plastic bag. It has further been submitted that motorcycle does not belong to the petitioner.

Petitioner has clean antecedent.

Petitioner is in custody since 2.1.2017.

Therefore keeping in view the clean antecedent of the petitioner, let the petitioner, above named, 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 1st Additional Sessions Judge cum Special Judge, Vaishali at Hajipur/successor Court in connection with Mahua P. S. Case No. 02 of 2017 subject to the condition that both the bailers shall be the close relative of the petitioner. The petitioner will remain present on every date of trial and absence of petitioner on two consecutive dates without valid reason will amount to cancellation of his bail bond.

(Sanjay Priya, J)

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