

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60649 of 2018

Arising Out of PS.Case No. -105 Year- 2018 Thana -CHAPRA RAIL P.S. District- SARAN

- =====
1. HAIMAJEET GAGOI @ HEMAJIT GOGOI, S/o Funin Gagoi @ Phanin Gogoi, Resident of Village- Kajikhoa, P.S.- Chabua, District- Dibrugadh (Assam).
2. Kamal Bishwakarma, S/o Raghubeer Bishwakarma, Resident of Village- Bikuti Factory, P.S.- Dibrugadh, District- Dibrugadh (Assam).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

- 2 06-10-2018 The petitioners are in custody since 16.06.2018 in connection with Chapra Rail P.S. Case No. 105 of 2018 corresponding to NDPS Case No.11/2018, registered for offences punishable under Sections 20, 22, 8 of the NDPS Act

Allegations against the petitioners, who are the AC Coach Attendants of Awadh Assam Express Train, recovery of 19 K.G. ganja from bedroll box of petitioner no.1 and 26 K.G. Ganja from bedroll box of petitioner no.2.

Submission of learned counsel for the petitioners is that they had no knowledge with regard to seized ganja that which had kept in bedroll box. Further submission is that the petitioners have no criminal antecedents and they are in custody since



16.06.2018.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances as stated above and also considering that petitioners have no criminal antecedents, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Saran at Chapra, in connection with Chapra Rail P.S. Case No. 105 of 2018 corresponding to NDPS Case No.11/2018, with following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their 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 their bail.

(Vinod Kumar Sinha, J)

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