

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53894 of 2018

Arising Out of PS.Case No. -820 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Dharamveer Yadav @ Dharamveer Kumar Son of Ramanand Yadav
Resident of Village- Hathwan Tola Morkahi Ward no. 05, P.S. Alouli,
District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 02-11-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in Hajipur Town P.S. Case No.
820/2017, instituted for the offences under Sections 25(1-b)a and
26 II of Arms Act read with Sections 8, 20(b) (II)(B) of NDPS
Act.

Earlier prayer for bail of the petitioner was rejected by a
Co-ordinate Bench of this Court in Cr. Misc. No. 22762/2018
dated 17.04.2018.

It is alleged in the written report that 10 kg of *Ganja*, a
country made pistol, a magazine and five live cartridges have been
recovered from possession of this petitioner.

Report of the court below has been received in this
case, from which it appears that case is pending for production of



accused. Charge has not been framed in this case.

Learned counsel for the petitioner has submitted that recovery of 10kg of *Ganja* is below the commercial quantity. The petitioner is in custody since 24.11.2017.

From the report of court below, it appears that trial is not likely to be concluded within short time.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. 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 learned A.D.J. 1st-cum-Special Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 820/2017, subject to the conditions that

- (i) both the bailors shall be the close relative of the petitioner.
- (ii) petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and
- (iii) if petitioner tamper with the evidence in



the case, prosecution will be at liberty to
move for cancellation of bail bond of the
petitioner.

(Sanjay Priya, J.)

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