

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60229 of 2018

Arising Out of PS. Case No.-1 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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1. Sanjay Sahani Nishad, Son of Late Daroga Sahani, Resident of Village- Pathara, Police Station- Jadopur, District- Gopalganj.
 2. Ram Pravesh Manjhi, Son of Balrup Manjhi, Resident of Village- Lakri Dargah, Police Station- Barhariya, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 11-10-2018

Heard learned counsel for the petitioners and

learned counsel for the State.

The petitioners, who are in custody, seek bail in connection with Government Official Complaint Case No. 01 of 2018 (G.R. No. 01/18 (N.D.P.S. Act) registered for the offence punishable under Section 20(b) N.D.P.S. Act.

Allegation is recovery of 10 Kg of Ganja from their possession. Petitioners have no criminal antecedent and they are in custody since 18.02.2018.

Considering the nature of allegation against petitioners, I am not inclined to grant bail to the petitioners. Accordingly the prayer for bail is rejected at this stage.



However, after one year of custody the petitioners would be enlarge on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge cum Special Judge N.D.P.S. Act, Aurangabad, in connection with Government Official Complaint Case No. 01 of 2018 (G.R. No. 01/18 (N.D.P.S. Act) subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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