

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14926 of 2018

Arising Out of PS. Case No.-39 Year-2017 Thana- DALSINGHSARAI District- Samastipur

Brajesh Kumar, S/o Kamta Prasad, resident of Village- Raibagh, P.S.-
Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. SRI AHMAD ALI

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner wants to renew his prayer of bail, which was
earlier rejected twice vide order dated 05.07.2017 and
01.11.2017 passed in Cr. Misc. Nos. 24588 of 2017 and 51599
of 2017 respectively, on the ground that in this case similarly
situated co-accused Ashok Kumar and Shailesh Prasad @
Shailendra Prasad who were also in the Bolero vehicle have
been allowed bail by different co-ordinate Benches of this Court
vide annexure-2 series and further Nirmal Banik who was
driving the truck, from where 720 kg. Ganja was recovered, has
also been allowed bail vide order dated 21.02.2018 passed in Cr.
Misc. No. 10147 of 2018 by another co-ordinate Bench of this
Court, in near future the trial is not likely to be concluded and as



such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that other three co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge Ist-cum-Special Judge, Samastipur in N.D.P.S. Case No. 06 of 2017 arising out of Dalsing Sarai P. S. Case No. 39 of 2017, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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