

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28213 of 2018

Arising Out of PS.Case No. -48 Year- 2009 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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1. Janardan Mahato, son of Late Karu Mahato, Resident of Village-
Agandha Tola Tali, P.S.- Belaganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-05-2018 Earlier prayer for bail of the petitioner was rejected

vide order dated 30.08.2017 passed in Cr. Misc. No. 11336 of

2017 in connection with Excise Case No. 48 of 2009 as well as

N.D.P.S Case No. 22/2010, registered for the offences punishable

under Sections 8(b), 15 and 18 of the Narcotic Drugs and

Psychotropic Substance Act, 1985 Act.

Allegation is that 5050 plants of opium has been

recovered from the field of petitioner.

Submission of learned counsel for the petitioner

that he has been in judicial custody since 05.12.2016 and not a

single witness has been examined in this case and there is no

likelihood of conclusion of trial in near future.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts as

well as in view of period of custody, let the petitioner above



named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. -1st cum Special Judge, Excise, Gaya in connection with Excise Case No. 48 of 2009 as well as N.D.P.S Case No. 22/2010, subject to the following conditions:-

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

(Vinod Kumar Sinha, J)

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