

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.71234 of 2018

Arising Out of PS. Case No.-150 Year-2015 Thana- ARARIA District- Araria

Abinash Mandal @ Abhinash Mandal @ Avinash Mandal, Son of Ajit Mandal, at present Village- Bhola More, Murhi Factory, P.S.- Bhakti Nagar, District- New Jalpaiguri (West Bengal) Permanent Address resident of Raychanga (Ansha), P.S.- Falakata No. 2, District- Jalpaiguri (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 21-12-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Special Case No.03 of 2015 arising out of Araria P.S. Case No. 150 of 2015** instituted for the offence under Section(s) 8, 20(b)(ii) C/29 NDPS Act.

Counsel for the petitioner submits that petitioner was not apprehended on the spot. There was no recovery from his possession.

In the written report, it is alleged that one vehicle was intercepted by the police from which total 104 Kg. Ganja was recovered hidden in watermelon. The police arrested driver and one another person, who was found sitting in the vehicle. One person managed to run away from the vehicle. Both the persons disclosed their name as Gour Dey and Tinku Sarkar. They disclosed name of the petitioner having fled away from the vehicle.



Petitioner is said to be in custody since 04.06.2018.

It is mentioned in the impugned order that he has been remanded in this case from Bahadurganj P.S. Case No. 264 of 2015. Charge has already been framed against this petitioner on 24.09.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **1st Additional Sessions Judge-cum-Special Judge, Araria**, in connection with **Special Case No.03 of 2015 arising out of Araria P.S. Case No.150 of 2015**, subject to the condition that both the bailors shall be close relative of the petitioner.

Further, (i) the petitioner will remain present on each and every date of trial, (ii) His absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be cancelled, and (iii) the petitioner will not intimidate the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

J. Alam/-
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