

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.622 of 2018

Arising Out of PS.Case No. -563 Year- 2017 Thana -KOTWALI District- PATNA

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Kallu @ Kallu Mahto, Son of Late Ram Baran Mahto, Resident of
Village- Kamla Nehru Nagar, (Adalatganj), P.S.- Kotwali, Distirct- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.

For the Opposite Party/s : Mr. Ahtash Ali Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Kotwali P.S.**
Case No. 563 of 2017 instituted for the offence under Sections 18,
22 and 25 of the NDPS Act.

It has been submitted that no recovery from
possession of this petitioner has been made. It is alleged in the
written report that 39 *puriya* of Ganja wrapped in different small
packets of plastic bag were recovered from Kabari vehicle
standing near new market tempo stand.

It is mentioned in the written report that during
investigation, it was learnt that this petitioner was seen selling the
same and he after seeing the police party fled away. As such, mere



suspicion has been raised against this petitioner. There is no recovery from his possession.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Kotwali P.S. Case No. 563 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Sessions Judge/Spl. Judge, Patna**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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