

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57850 of 2017

Arising Out of PS.Case No. -80 Year- 2013 Thana -BARACHATTI District- GAYA

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Sheo Nandan Saw @ Shiv Nandan Sao, Son of Late Kesho Saw, Resident
of village- Bumer Police Station- Barachatti, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nivedita Nirvikar

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 18-01-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection
with Barachatti P.S.Case No. 80 of 2013 registered under Sections
18 and 20 of the N.D.P.S. Act.

Allegation in brief is that the villagers under the patronage
of naxalites were cultivating opium in their fields.

Submissions is that petitioner is not named in the FIR rather
his father was named, who had already died two years prior to
institution of the case, and there is no any specific plot number
mentioned in the case diary showing opium being cultivated on
the land and police itself observed in the case diary in para 129
that this petitioner was out of village in order to earn his livelihood
and he has no criminal antecedent and other co-accused similarly
situated has been granted bail by a co-ordinate bench of this Court



vide order dated 12.12.2017 passed in Cr. Misc. No. 52456 of 2017

Having considered the aforesaid facts and circumstances, the petitioner, namely, Sheo Nandan Saw @ Shiv Nandan Sao is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Special Judge, NDPS, Gaya in connection with Barachatti P.S. Case No. 80 of 2013, with condition that one of the bailor must be his close family relative. Petitioner shall remain physically present on each and every date during trial and in case of failure on two consecutive dates without any medical emergency, his bail bond shall be liable to be cancelled.

(Arun Kumar, J)

Sujit/-

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