

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55070 of 2018**

Arising Out of PS.Case No. -288 Year- 2017 Thana -PATNA CITY CHOWK District- PATNA

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1. Neta Rai @ Neta @ Ashish Rai @ Ashish S/o Late Budhu Ray @  
Buddhu Rai r/o Kauakhoh (Kaimashikoh), P.S. Chowk, Distt Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nityanand Kumar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      10-10-2018      Heard the parties.

The petitioner seeks regular bail in connection with Chowk  
P.S.case No.288 of2017 (Spl. Case No.140 of 2017) registered  
for offences punishable under Sections 22, 27 of the NDPS Act..

There is recovery of 13 kg. of Smacks containing heroine  
from the petitioner and earlier the prayer for bail was rejected,  
vide order dated 28.3.2018 passed in Cr. Misc. No1.7386 of 2018.

Submission of the learned counsel for the petitioner is that  
the recovery is less than the commercial quantity and he is in  
custody since 24.9.2017 and the charge has already been framed.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and  
circumstances, as stated above, let the petitioner, above named, be



enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of ADJ-III, Patna in connection with Chowk P.S.case no.288 of 2017 (Spl. Case No.140 of 2017).

With following conditions :

- (i) One of the bailors shall be the family members of the petitioner 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 co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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