

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44067 of 2018

Arising Out of PS.Case No. -101 Year- 2018 Thana -KHAIRA District- JAMUI

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1. Daso Das @ Daso Ram, S/o Jhari Das,
2. Bhairo Rai S/o Late Fusan Rai, Both R/o Vill.- Chachanwar , P.S.-
Khaira, District- Jamui.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.40387 of 2018

Arising Out of PS.Case No. -101 Year- 2018 Thana -KHAIRA District- JAMUI

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Bhimal Ravidas, Son of Late Ayodhya Ravidas, Resident of Village-
Lusitanr, Police Station- Khaira District- Jamui.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

(In Cr.Misc. No.44067 of 2018)

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

(In Cr.Misc. No.40387 of 2018)

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-09-2018 Since both the cases arise out of same P.S.case number,

they have been heard together and are being disposed of by this

common order.

Heard learned counsel for the petitioners of both the

cases.



Petitioners of both the cases pray for bail in connection with N.D.P.S.Case No. 01 of 2018, arising out of Khaira P.S.Case No. 101 of 2018 registered for the offences punishable under Sections 16, 18 of the N.D.P.S. Act and Section 30(d) of Bihar Excise Prohibition Act, 2016.

Allegation as per FIR is that the petitioners were engaged in farming opium plants and police raided the place and recovered 10 kg. of opium fruits with cut marks, opium plants with opium fruits with cut mark in four bundles and 130 kg. of Mahua fruits from cattle house which belongs to Bhimal Das.

Submission of learned counsel for the petitioners in Cr.Misc.No. 44067 of 2018 is that they have been made accused only on the basis of confessional statement of co-accused and the land does not belong to them, whereas learned counsel for petitioner in Cr.Misc.No.40387 of 2018 is that he is a landless person and certificate to that effect has been given by Anchal Adhikari which has been annexed in supplementary affidavit and he has falsely been implicated in this case. Further submission of both learned counsel is that the petitioners have no criminal antecedent and they are in custody for about six months.

Heard learned APP also.

Having heard both sides and in the facts and



circumstances, as stated above, let the petitioners in both the cases, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the District and Sessions Judge, Jamui, in connection with N.D.P.S.Case No. 01 of 2018, arising out of Khaira P.S.Case No. 101 of 2018, subject to the condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

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