

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66145 of 2018

Arising Out of PS. Case No.-143 Year-2017 Thana- ROSHANGANJ District- Gaya

MAUJAHIDUL ISLAM @ MOUJAHIDUL ISLAM, s/o Minhajul Islam
Khan @ Minhajul Islam, r/v-Kuiwar, P.S.-Imamganj, District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-11-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Raushanganj (Bankey
Bazar) P.S. Case No. 143/2017, instituted under Sections 8,
20(b)(II)(c), 25 and 29 of NDPS Act.

Earlier prayer for bail of petitioner was rejected by a
Co-ordinate Bench of this Court in Cr. Misc. No. 12788/2018
dated 05.03.2018.

It is alleged in the written report that on getting
information that dodda is illegally being carried to Calcutta, the
informant along with Anchaladhikari of Bankey Bazar and other
Constables started checking of vehicles and intercepted a bus.
On search, 400kgs of Dodda was recovered from the aforesaid
bus.



Learned counsel for the petitioner has submitted that petitioner was conductor of the bus. It is submitted that this petitioner along with driver of the bus and other accused persons had earlier been granted bail under Section 167(2) Cr.P.C. but this petitioner could not furnish bail bond.

Report from the court below about stage of trial has been received, wherein it is mentioned that after framing of charge not a single witness has been examined in this case.

Petitioner is in custody since 24.09.2017.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District & Sessions Judge-cum-Special Judge, NDPS Act, Gaya in connection with Raushanganj (Bankey Bazar) P.S. Case No. 143/2017, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioner.
- (II) Petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates



without valid reason will result in
cancellation of bail bond of the
petitioner and

(III) if petitioner tamper with the evidence in
the case, prosecution will be at liberty to
move for cancellation of bail bond of the
petitioner.

(Sanjay Priya, J.)

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