

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2174 of 2018

Special Case No. 18 of 2017, Arising Out of PS.Case No. -178 Year- 2017 Thana -BAISI District-
PURNIA

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1. Kumaresh Rai Manjhi @ Kumaresh Roy Manjhi, S/o Ravindra Nath Manjhi, resident of Village- Jamaldah, P.S. Mikhliganj, District- Kuch Bihar (W.B.).

2. Kanchan Das, S/o Pradeep Das, resident of Village- Jamaldah, P.S. Mikhliganj, District- Kuch Bihar (W.B.).

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Kumari Ritambhara, Adv

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-01-2018 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 05.09.2017 in connection with Special Case No. 18 of 2017, arising out of Baisi P.S. Case No. 178 of 2017 for the alleged offences under Section 20 of the N.D.P.S. Act.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of 14.6 kg. of ganja from a vehicle merely because they happen to be the driver and khalasi of the said vehicle. Apart from the petitioners there were two other passengers in the vehicle, of which Babli Sarkar is the owner. It is submitted that the vehicle was running on hire and the petitioners had no knowledge about the incriminating goods. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, including the ganja seized from the



vehicle with four persons as well as the period of custody suffered since 05.09.2017, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge, NDPS Act, Purnea in connection with Special Case No. 18 of 2017, arising out of Baisi P.S. Case No. 178 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

Chandran/BT

(Vikash Jain, J)

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