

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29382 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- PIRBAHOR District- Patna

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Kailash Prasad, Son of Late Ramjee Prasad, Resident of Mohalla-Bhadragaht,
Near Gandhi Murti Makhanpur, Post Gulzarbagh, P.S. Alamganj, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and

learned APP representing the State.

The petitioner seeks bail in connection with
Pirbahor P.S Case No. 202 of 2018 registered for the offences
punishable under Section 20/22 of N.D.P.S. Act .

Allegedly, 25 grams Ganja and cash of Rs. 590/-
were recovered from the pant of the petitioner.

Submission is of false implication and that nothing
has been recovered from possession of the petitioner, his
signature has been obtained on a plain paper forcibly which has
been converted into seizure list, no mandatory provision of
N.D.P.S. Act has been followed in this case. The petitioner has
got no criminal antecedent and he is suffering in custody since



12.04.2018 and as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that recovered article comes under the purview of small quantity.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge/Special Judge, Patna in connection with Pirbahore P.S. Case No. 202 of 2018, Special Case No. 34/18 , subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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