

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62104 of 2018

Arising Out of PS.Case No. -166 Year- 2014 Thana -BARACHATTI District- GAYA

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1. Kishun Prasad, Son of Late Teka Mahto, Resident of Village- Dhamna,
P.S.- Barachatti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhilesh Kumar

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-10-2018 Earlier prayer for bail of the petitioner was dismissed vide order dated 05.09.2017 passed in Cr. Misc. No. 37228 of 2017 in connection with Barachatty P.S. Case No. 166 of 2014 for the alleged offences under Sections 20 and 22 of Narcotic Drugs and Psychotropic Substance Act, 1985.

Allegation against the petitioner is of recovery of 12 kg. of ganja.

Submission of learned counsel for the petitioner that earlier there was a direction to conclude the trial within a period of nine months but the trial has not been concluded and petitioner has been in judicial custody since 06.12.2016 and co-accused from whom there was recovery of 15 kg. of ganja has already been enlarged on bail by a coordinate Bench of this Court vide order dated 29.07.2015, passed in Cr. Misc. No. 22358 of



2015.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge –Gaya, in connection with Barachatty P.S. Case No. 166 of 2014, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person 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 cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part 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.

(Vinod Kumar Sinha, J)

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