

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72802 of 2018

Arising Out of PS. Case No.-95 Year-2018 Thana- VAISALI GRP CASE District- Vaishali

Kanhaiya Kumar Gond Son of Sh. Chandradeep Prasad Gond Resident of
Village & Post- Pandey Patti, Police Station- Mufassil Buxar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate, Mr. Prabhakar Sahai, Advocate
For the Opposite Party/s	:	Mr. Sri Shailendra Kumar -2 (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Rail Sonapur- Hajipur P.S. (Vaishali G.R.P)
Case No. 95 of 2018 registered for the offences punishable
under Sections 385, 201 and 120B of the Indian Penal Code and
under Section 8, 20 and 22 of the N.D.P.S. Act.

Informant who is a police officer has alleged
recovery of 20 kg 850 gm of Ganja from two accused persons
from Railway platform. Allegation against petitioner is that he
was informer and used to give information with respect to
smuggling of Ganja but same was not shared with Senior Police
Officers.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has falsely been implicated in this case. Neither he has been arrested at the spot nor any incriminating material has been recovered from his possession or house. He has no criminal antecedent and he is in custody since 01.08.2018. It has been further submitted that similarly placed co-accused has been granted bail by this Court and co-ordinate Bench of this Court in Cr. Misc. No. 67033 of 2018 and 69391 of 2018 vide order dated 20.11.2018 and 30.11.2018 respectively.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-cum-Special Judge, NDPS Act, Vaishali at Hajipur in connection with Rail Sonapur- Hajipur P.S. (Vaishali G.R.P.) Case No. 95 of 2018 (G.R. No. 3976 of 2018), subject to the conditions:

(1) Bailors should be local having sufficient immovable property withing the Jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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