

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38736 of 2018

Arising Out of PS.Case No. -69 Year- 2018 Thana -DARBHANGA SADAR District-
DARBHANGA

=====

Mithileshwar Roy S/o Ram Saresth Roy, R/o Vill.- Bharat Nagar, P.S.-
Gayaghat (Benibad O.P.), District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-07-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Sadar (Mabbi
O.P.) P.S. Case No. 69/2018, for offences alleged under Sections
20(B), 22 of N.D.P.S. Act.

The prosecution case as lodged by the police personnel
is that on secret information that one person is carrying contraband
item, the police reached and apprehended the petitioner. On
search, One K.G. of Ganja was found from his possession.
Accordingly seizure list was prepared.

It has been submitted by the learned counsel for
petitioner that he is innocent, bears no criminal history and he is
handicapped person having 40% disability and is languishing in



judicial custody since 11.03.2018. The seized Ganja is less than the commercial quantity. The petitioner is ready to cooperate in the investigation/trial.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner was caught red-handed with One K.G. of Ganja.

Considering the facts and circumstances of the case and material on record, let the petitioner named above, be enlarged 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 Sessions Judge-cum-Special Judge, Darbhanga, in connection with Sadar (Mabbi O.P.) P.S. Case No. 69/2018, subject to the condition that

- (1.) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.
- (2.) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning



any reason will entail cancellation of his
bail bonds.

(Nilu Agrawal, J)

Vinita/-

U		T	
---	--	---	--

