

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17315 of 2019

Arising Out of PS. Case No.-259 Year-2018 Thana- JOGBANI District- Araria

Manoj Mahto @ Manoj Kr. Mahto @ Manoj Kumar Mahto, aged about 42 years (M), Son of Ram Jatan Mahto, Resident of Village - Tikuliya Basti ward no. 10, P.S.- Jogbani, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 26-06-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Special (N.D.P.S.) Case No. 26 of 2018 arising out of Jogbani P.S. Case No. 259 of 2018 registered under Sections 21, 22 of the N.D.P.S. Act and Sections 27(b), 28 read with Section 36 of the Drugs and Cosmetic Act.

As per F.I.R. on 25.09.2019 at 13.35 hrs. on a secret information, the informant Jivesh Kumar Thakur, who is S.I. of Jogbani P.S. along with the police force raided the house of the petitioner and recovered Nitrovet – 10 tablets each 330 pieces, Dialex-XDC-Cough syrup- 7 pieces, Lupigesic Inj. 2 ml. each 170 pieces, Diazelab Inj- 2 ml. each 220 pieces, Phenergan Inj.



2 ml. Each 287 pieces and Ait Inj- 2 ml. Each 187 pieces. On being demand, the petitioner could not produce any valid paper before the police and accordingly, the seizure list was prepared at the spot and its copy served upon the petitioner and the petitioner taken into police custody. The petitioner is in custody since 26.09.2019. In the case diary, no any incriminating article has been recovered from conscious possession of the petitioner. The petitioner submitted that the goods are recovered from the straw house of the petitioner.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions cum Special Judge, Araria in connection with Special (N.D.P.S.) Case No. 26 of 2018 arising out of Jogbani P.S. Case No. 259 of 2018, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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