

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78220 of 2018

Arising Out of PS. Case No.-543 Year-2018 Thana- KHAGARIA District- Khagaria

Rajesh Sahni Son of Late Mahadev Sahni All Resident of Village-
Baluahi, Ward No.26, Police Station-Khagaria, Distt.-Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar

For the Opposite Party/s : Mr.Sri Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 16-01-2019

Heard learned counsel for the parties.

Petitioner seeks bail in **Special Case No. 06 of 2018**
arising out of Khagaria P.S. Case No. 543 of 2018 registered
for the offence punishable under Sections 8/20(b)(ii)B of the
NDPS Act.

Allegation is of recovery of 1.376 Kg of Ganja from
the possession of the petitioner.

It has been submitted on behalf of the petitioner that he
is innocent and has been falsely implicated in this case. Nothing
has been recovered from the possession of the petitioner. Petitioner
has got no criminal antecedent and is in custody since 12.08.2018.

Considering the recovery of Ganja
which is more than small quantity, I am not inclined to
enlarge the petitioner on bail at this stage. Hence,



the prayer for bail of the petitioner is hereby rejected.

However, it is observed that petitioner be released on bail **after completing six months of Jail custody**, upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Sessions Judge cum Spl. Judge, Khagaria**, in connection with **Special Case No. 06 of 2018 arising out of Khagaria P.S. Case No. 543 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly 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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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