

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79345 of 2018

Arising Out of PS. Case No.-96 Year-2018 Thana- VAISALI GRP CASE District- Vaishali

Birendra Mahto Son of Bramha Mahto Resident of Village-Chandpura, P.S.-
Raghopur, District-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudha Chandra

For the Opposite Party/s : Mr.Sri Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 28-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Sonapur (Hajipur) Rail P.S. Case No. 96 of 2018 registered for the offence punishable under Sections 8/20(B)(II)©, Learned counsel for the petitioner is directed to remove the defect(s) as pointed out by the office by 22.02.2019., 29 of the N.D.P.S. Act.

Informant who is the police Officer has stated in his written complaint that on receiving secret information that three miscreants are waiting to take a train with contraband substance and thereafter he reached the platform and found three persons sitting near the over bridge. On search 10 Kg ganja was recovered which was kept in a bag.



Considering the nature of allegation against and recovery of 10 kg of Ganja, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after one year of custody the petitioner would be enlarged on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned In-charge Sessions Judge, Vaishali at Hajipur, in connection with Sonapur (Hajipur) Rail P.S. Case No. 96 of 2018 subject to the conditions that:-

(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 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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