

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78883 of 2018

Arising Out of PS. Case No.-392 Year-2018 Thana- BIHIA District- Bhojpur

RAJU NAT Son of Bishwanath Nat Resident of Village-Teghara, Police
Station- Bihiya, District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Sri Ajay Kumar -2

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 22-02-2019

Heard learned counsel for the parties.

Petitioner seeks bail in **N.D. Case No. 10 of 2018**
arising out of Bihiya P.S. Case No. 392 of 2018 registered for
the offence punishable under Sections 8 (c), 21(b) and 27 of the
N.D.P.S. Act.

Allegation is of recovery of 35 grams heroin and
battery operated weighing machine from the joint possession of
petitioner and other FIR named accused.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case due to
village politics. The alleged recovery were made from the joint
family house of the petitioner. It has been further submitted that
similarly placed co-accused, Shudhir Kumar Singh and Nirmal



Yadav has been granted bail by Court below itself as contained in impugned order of this petition. Petitioner has got no criminal antecedent and is in custody since 11.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Special Judge, N.D.P.S. Act-cum-Sessions Judge, Bhojpur, Arrah**, in connection with **N.D. Case No. 10 of 2018 arising out of Bihiya P.S. Case No. 392 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 and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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