

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30923 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- KURSAKANTA District- Araria

KRITYANAND MANDAL S/o Shukdev Mandal Resident of Urlaha, Ward
No. 06, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-08-2019

Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in **Spl. (NDPS)**

P.S. Case No. 19 of 2018 (arising out of Kursakanta (Sonamani) P.S. Case No. 179 of 2018 registered for the offence punishable under Sections 22, 24 and 29 of the NDPS Act.

Allegation against the petitioner is of recovery of 382 Grams of Heroine from the dicky of motorcycle which was being ridden by co-accused Md. Afzal. 382 Grams of Heroine was seized which is above than the commercial quantity of 250 Grams, for which two persons were arrested.

It has been submitted that similarly, situated co-accused person Md. Afzal has already been granted bail by a co-ordinate bench of this Court vide order dated 05.01.2019 in



Criminal Miscellaneous No. 1494 of 2019 (Annexure-2).
Petitioner has got no criminal antecedent and is in custody since
12.08.2018.

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 court below where the
case is pending, in connection with **Spl. (NDPS) P.S. Case No.
19 of 2018 (arising out of Kursakanta (Sonamani) P.S. Case
No. 179 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/her absence on two consecutive dates without
sufficient reason, his/her 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.

(S. Kumar, J)

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