

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77992 of 2018

Arising Out of PS. Case No.-447 Year-2018 Thana- BARACHATTI District- Gaya

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Chandrika Yadav S/o Late Somar Yadav, R/s Vill.- Sewai, P.S.- Barachatti,
Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Kumar Singh,Adv. (Died on 10.02.2019)

For the Opposite Party/s : Mr.Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 25-02-2019 Heard learned counsel for the parties.

A fresh Vakalatnama has been filed on behalf of the petitioner who is in custody since 07.07.2018, as the advocate on record died during pendency of this petition.

Petitioner seeks bail in **Barachatti P.S. Case No. 447 of 2018 (G.R. No. 1391 of 2018)** registered for the offence punishable under Sections 18, 20 and 22 of the N.D.P.S. Act.

Allegation is of recovery of 1.750 Kg of *Afim* from the possession of 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 his possession. Petitioner has got no criminal antecedent and is in custody since 07.07.2018.

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 **Sessions Judge, Gaya**, in connection with **Barachatti P.S. Case No. 447 of 2018 (G.R. No. 1391 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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