

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77623 of 2018

Arising Out of PS. Case No.-143 Year-2018 Thana- BALIYA District- Begusarai

Md. Daud S/o Late Basarat , R/o Vill.- Kurha, P.S.- S. Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in N.D.P.S. Case No.11 of 2018 arising out of Ballia P.S. Case No. 143/2018 registered for the offence punishable under Sections 8/20(b), (ii)(c) , 25/ 29 of the N.D.P.S. Act.

Allegation is recovery of 28 bags each containing 31 Kg. Ganja from a truck. Petitioner was alleged to be loading Ganja on Pickup Van.

It has been submitted on behalf of the petitioner that he is merely a labourer and nothing has been recovered from his possession. Petitioner has no criminal antecedent and he is in custody since 31.05.2018. It has further been submitted that similarly placed co-accused has already been granted bail by this Court as contained in Annexure 2/1.



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 Addl. Sessions Judge, 1st, Begusarai in connection with N.D.P.S. Case No.11 of 2018 arising out of Ballia P.S. Case No. 143/2018 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.

(S. Kumar, J)

Sanjay/-

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