

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54255 of 2019

Arising Out of PS. Case No.-157 Year-2018 Thana- DAGARUA District- Purnia

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MOHAN RAI @ MOHAN ROY Son of Raghubans Rai Resident of Village -
Bidyutpur Dih, P.S.- Bidupur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudha Chandra
For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 12/2018/CIS No. 12/18 (N.D.P.S. Act) arising out of Dagarua P.S. Case No. 157 of 2018 registered for the offence punishable under Sections 353/307 of the Indian Penal Code read with Section 8/20(b)(ii)(c), 25 of the N.D.P.S. Act.

Petitioner had earlier moved this Court for regular bail vide Cr. Misc. No. 77680 of 2018 which was rejected on 04.02.2019 with a liberty to renew his prayer for bail after completing one year in custody.

It has been submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this



case. Nothing was recovered from the possession of petitioner and he is in custody since 06.08.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Purnea, in connection with Special Case No. 12/2018/CIS No. 12/18 (N.D.P.S. Act) arising out of Dagarua P.S. Case No. 157 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 properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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