

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79051 of 2018

Arising Out of PS. Case No.-129 Year-2018 Thana- MUZZFARPUR GRP CASE District-
Muzaffarpur

-
1. Vijay Mahto, Son of Late Bhagelu Mahto,
 2. Dinesh Sharma, Son of Sri Prabhoo Sharma,
- Both are resident of Village Pakri Bazar, P.S. Dumariya Ghat, District
Motihari, East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Ajay Kumar Thakur, Shashank Shekhar Babita Kumari, Advocates
For the Opposite Party/s :		Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Muzaffarpur Rail P.S. Case No.129 of 2018 registered for the offence punishable under Sections 419, 420, 414/34 of the I.P.C. and Sections 8/20 of the NDPS Act.

In the written report, it is stated that four persons were apprehended from a Wagon-R vehicle. From possession of Vijay Mahto, one mobile phone, cash of Rs.720/- and ten small tablets were recovered and from the possession of Dinesh Sharma, one mobile phone and cash of Rs.210/- were recovered.

Petitioners have criminal antecedent and they are in



custody since 21.07.2018.

Considering the nature of offence, I am not inclined to enlarge the petitioners on bail. Hence, the prayer for bail of the petitioners is hereby rejected.

However, after completion of **six months** in judicial custody, the petitioners named above be released on bail upon furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Muzaffarpur in connection with Muzaffarpur Rail P.S. Case No.129 of 2018 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper 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
petitioners.

(S. Kumar, J)

Sanjay/-

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