

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13803 of 2020

Arising Out of PS. Case No.-25 Year-2020 Thana- KATIHAR District- Katihar

Vikky Kumar Mahaldar @ Vikki Kumar Mahaldar, S/o Ganga Prasad Mahaldar @ Ganga Mahaldar R/o Mohalla- Satsang Mandir, Baigana, P.S.- Katihar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Special (NDPS) Case No. 02 of 2020 arising out of Katihar Town P.S. Case No. 25 of 2020, registered under Section 21(b) of the N.D.P.S. Act and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accusation is that in course of patrolling duty when the informant and other police personnel reached in village Rajendra Gram then three persons were seen sitting on black colour Pulsar Motorcycle. Thereafter, signal was given to stop the said motorcycle but all three persons started to flee away, but on chased, they were apprehended, who disclosed their names as Ganesh Kumar Ram, Bikki Kumar Mahaldar (petitioner) and Rohan Kumar. On search, one live cartridge and 8 Ativan 2 mg tablets were found in possession



of Ganesh Kumar Ram, one live cartridge and 12 Ativan 2 mg tablets were found in possession of petitioner and 10 Activan 2 mg tablets were found in possession of Rohan Kumar.

Learned counsel for the petitioner submits that while petitioner is accused in four other cases, as detailed in paragraph 3 of the petition, but in all four cases, he is on bail and in the present case, he is in custody since 10.01.2020. It is further submitted that similarly situated co-accused, Ganesh Kumar Ram has already been granted privilege of bail by a Bench of this Court vide Criminal Misc. No. 13414 of 2020.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge (NDPS), Katihar, in connection with Special (NDPS) Case No. 02 of 2020 arising out of Katihar Town P.S. Case No. 25 of 2020. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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