

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28407 of 2020

Arising Out of PS. Case No.-76 Year-2020 Thana- DUMRA District- Sitamarhi

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1. MAYANK KUMAR S/o Raju Yadav Resident of Village-Nayatola, Jurabganj, Ward No.2, Police Station-Kodha, District-Katihar.
 2. Mahesh Kumar S/o Sukhdeo Yadav Resident of Village-Nayatola, Jurabganj, Ward No.2, Police Station-Kodha, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-11-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard both parties.

The petitioners seek bail in Dumra P.S. Case No. 76 of 2020, registered for the offence punishable under Section 414 and 34 of the Indian Penal Code and sections 8, 20(b)(ii)(B) of the NDPS Act.

From possession of petitioner no. 1 an instrument of breaking iron and 20-30 pkts of Kawach and from possession of petitioner no. 2 one mobile was recovered.

It is submitted on behalf of the petitioners that petitioners have falsely been implicated in this case. No



narcotics substance has been recovered from possession of these petitioner rather narcotics drugs (Charas) has been recovered from possession of co-accused Rakesh @ Shailesh. Charge sheet has already been submitted. Petitioners are in custody since 27.02.2020 having clean antecedent as stated in para 3 of the bail petition.

Considering the facts and circumstances of the case, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Sitamarhi in connection with Dumra P.S. Case No. 76 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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