

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28489 of 2021

Arising Out of PS. Case No.-259 Year-2020 Thana- BIRPUR District- Supaul

Bindeshwari Mehta @ Vindeshvari Mehta, Son of Late Kisundeo Mehta
Resident of Village- Kataiya, P.S.- Birpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar

2. The Union of India India.

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Satyendra Kumar Srivastava, Adv.

For the Opposite Party/s : Md. Punam Kumari Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 10-12-2021 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 13.11.2020 seeks
bail in connection with Birpur P.S. Case No.259 of 2020
/N.D.P.S. Special Case No.09/2020 registered for offence
punishable under Section 8/20(b)(ii)(A) N.D.P.S. Act.

Prosecution case in brief, is that 1.35 Kg. of Ganja
was recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that no case is made out against the petitioner and the



quantity which has been recovered is very small and do not fall under the commercial quantity.

Learned counsel appearing on behalf of the State opposes the prayer for bail of the petitioner.

Considering the afore-mentioned facts and circumstances of the case as well as quantity being not a commercial quantity, let petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S., Supaul in connection with Birpur P.S. Case No.259 of 2020 /N.D.P.S. Special Case No.09/2020, subject to the following conditions:-

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

(2) Petitioner shall ensure his presence before the concerned police station on every 15th day of the month as well as properly represented on each and every date fixed 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.

(4) If the petitioner is found involved in similar nature of offence, after release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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