

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13210 of 2021**

Arising Out of PS. Case No.-143 Year-2018 Thana- BALIYA District- Begusarai

MUNSE MAI @ MUNSEMAI Son of Shiva Thaiyan Resident of Village -
2/35 Keeleripatty Deven Angul, Post - Tiruchengle T.N. Nankkal, District -
Tamilnadu.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kumari Kiran, Adv Mr. Dinbandhu Singh, Adv
For the Opposite Party/s	:	Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-08-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence
punishable under Sections 8/20(b)(ii)(c) 25/29 of the NDPS Act.

Earlier bail of the petitioner was rejected vide order
dated 14.03.2019 passed in Criminal Miscellaneous No. 79557
of 2018.

Allegation is of recovery of 28 bags of Ganja each
containing 31 Kg from the truck being driven by petitioner.

It has been submitted on behalf of the petitioner that
petitioner being the driver of the truck has been falsely
implicated in this case. It has further been submitted on behalf
of the petitioner that he was not aware that Ganja was concealed
in the vehicle. Similarly situated co-accused persons have been

granted bail by different benches of this Court vide orders dated 08.10.2018 in Criminal Miscellaneous No. 61363 of 2018, 31.10.2018 passed in Criminal Miscellaneous No. 60108 of 2018, 30.11.2018 in Criminal Miscellaneous No. 69032 of 2018, 27.11.2018 in Criminal Miscellaneous No. 69393 of 2018, 02.01.2019 in Criminal Miscellaneous No. 77623 of 2018, 30.01.2019 in Criminal Miscellaneous No. 79541 of 2018 and 31.7.2019 in Criminal Miscellaneous No. 38973 of 2019. Petitioner has got no criminal antecedent and is in custody since 31.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Ballia P.S. Case No. 143 of 2018 NDPS Case No. 11 of 2018**, with following conditions:-

(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 shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason,

his/her bail bond shall be cancelled 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.

(S. Kumar, J)

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