

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34299 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- MAHNAR District- Vaishali

AKHILESH RAI @ GOLU RAI @ GOLIYA @ GOLAIYA S/o Shri Nagina
Rai Resident of Village-Tara Dhamaun, P.S.-Patori, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav

For the Opposite Party/s : Mr. B. N. Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-02-2021 Heard both sides.

The petitioner seeks bail in Mahnar P.S. case No. 51/2020 registered u/s 414 of the IPC, u/s 25(1-b)a, 26, 35 of the Arms Act and u/s 8/20(b)/ii(B), 22, 25, 29 of the N.D.P.S. Act.

The police intercepted a vehicle and recovered a bag containing 5.100 Kg. Ganja. The police also recovered arms and ammunition from the vehicle.

The learned counsel for the petitioner submits that petitioner is driver of the vehicle. Amit Kumar and Sunil Rai were sitting behind the vehicle and bag containing Ganja was kept in the rear side of the vehicle. Amit Kumar and Sunil Rai were owner of the bag but they have already been enlarged on bail vide orders passed in Cr. Misc. No. 23501/2020 and in Cr.



Misc. No. 21036 of 2020. The petitioner has, of course, got criminal antecedent but he is in jail for about one year. Other two accused persons have been granted bail after remaining six months in custody.

Taking into consideration the facts aforesaid and the fact that, of course, the petitioner has got criminal antecedent but similarly situated two other accused persons have already been granted bail, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge, N.D.P.S. Act, Vaishali at Hajipur in connection with Mahnar P.S. case No. 51/2020, subject to condition that one of the bailors shall be local, close relative of the petitioner, having substantial immovable property within the jurisdiction of the court and if the petitioner misuses the privilege of bail the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J)

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