

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34509 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- SHEKHPURA District- Sheikhpura

SATISH KUMAR @ SATISH MAHTO @ SATISH KUMAR MAHTO Son
of Sri Mushari Mahto Resident of Village - Dalkuan Khandpar, P.s.-
Sheikhpura, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan Prasad No. 1,Advocate
For the Opposite Party/s : Mr.Mithlesh Kumar Khare,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with N.D.P.S. 01 of 2022 (arising Sheikhpura P.S. Case No. 104
of 2022) for the offences under Sections 20/22 of the Narcotics
Drugs and Psychotropic Substance Act.

According to the F.I.R, the police, during the course
of patrolling, intercepted the accused persons and it is alleged
that amongst other from the petitioner herein altogether 118
gram of ‘ganja’ and a cash of Rs. 1442/- were recovered/seized.
Accordingly, the seizure list prepared, F.I.R lodged and the



petitioner was taken into custody.

Learned counsel for the petitioner submits that he do not have criminal antecedent and he is in custody since 09.03.2022(as stated in paragraph-13 of the bail application).

Considering the aforesaid facts and that the petitioner is in custody, charge sheet stands submitted and he has no criminal antecedent, this Court is inclined to grant him the privilege of bail.

However, if it is found that he do have criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of Sri Raj Kumar, District and Sessions Judge, Sheikhpura in connection with N.D.P.S. Case No. 01 of 2022 (arising out of Sheikhpura P.S. Case No. 104 of 2022), subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

U		T	
---	--	---	--

