

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65917 of 2022

Arising Out of PS. Case No.-62 Year-2016 Thana- ALOULI District- Khagaria

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JAHRU BIND Son of Late Shivan Bind R/v- Mohra Ghat Paras, P.S.- Alauli,
District- Khagaria Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Special Case No. 02A/2016 arising out of Alauli P.S.
Case No. 62 of 2016, G.R. No. 588 of 2016, registered for the
offences punishable under Sections 17/18 of the N.D.P.S. Act 1985.

The allegation against the petitioner he was cultivating
Afim on his land.

The learned counsel for the petitioner has submitted
that he is innocent and has falsely been implicated in this case. 20
opium plants were recovered from a piece of land and during
investigation, it was detected that the petitioner is not *Raiyat* of that
land, whereas the *Raiyats* are Uday Kumar Chaudhary, Arun Kumar
Chaudhary @ Arvind Kumar and Narendra Chaudhary @ Narendra
Jaiswal, who have been granted bail by a co-ordinate Bench of this
Court. The petitioner is under custody since 23.06.2022.

The status report of the progress of trial was called for,
which shows that not a single witness has been examined as yet,
though the bailable and non-bailable warrant have been issued



against the witnesses.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Vth-cum-Special Judge N.D.P.S, Khagaria in connection with Special Case No. 02A/2016 arising out of Alauli P.S. Case No. 62 of 2016, G.R. No. 588 of 2016, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (iii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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