

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25071 of 2018**

Arising Out of PS. Case No.-80 Year-2017 Thana- THAKRAHA District- West Champaran

Ramesh Ram S/o Sudama Ram, R/o Vill.- Baluadwa, P.S.- Thakraha, O.P.-  
Bhitaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Advocate  
For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      02-05-2018                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

Petitioner had earlier moved for bail, which was rejected vide order dated 12.09.2017 passed in Cr. Misc. No. 32964 of 2017. Petitioner is languishing in judicial custody since 23.04.2017 in connection with Thakraha (Bhitaha) P.S. Case No. 80 of 2017, Tr. no. 38 of 2017 registered for the offence punishable under Sections 20 and 22 of the N.D.P.S. Act, 1985.

The prosecution case, as lodged by the police personnel, is that petitioner was apprehended with 4 kgs. of ganja which was recovered from his motorcycle. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that the ganja seized is less than the commercial quantity and that the trial has not made much headway and the petitioner is languishing in judicial custody for more than a year.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and one case of similar nature is pending against him.

Be that as it may, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 1<sup>st</sup> – cum- Special Judge, West Champaran, at Bettiah in connection with Thakaraha (Bhitaha) P.S. Case No. 80 of 2017, Tr. no. 38 of 2017, subject to the conditions that:

(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.

(2) The petitioner will appear before the learned Court below on each and every



date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

**(Nilu Agrawal, J.)**

Arjun/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

