

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60921 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -HASPURA District- AURANGABAD

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Ranjeet Singh, Son of Late Mohan Singh, Resident of Village - Bharub,
P.S. - Obra, District - Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

3 10-01-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is accused in Haspura P.S. Case No. 45
of 2017 registered under Section 8-20(b)(II)(A) of the N.D.P.C.
Act.

Earlier, the bail application of the petitioner was
rejected by this Court vide order dated 19.08.2017 in Cr. Misc.
No. 38439 of 2017.

Learned counsel for the petitioner at this stage submits
that two co-accused in this case have been granted bail earlier by a
co-ordinate bench of this Court. However, the prayer for bail of
this petitioner was rejected because allegedly 1 Kg and 900 grams
Ganja has been shown recovered from a plastic bag said to have



been in possession of this petitioner. Learned counsel submits that in fact the petitioner has been in custody since 10.03.2017 and he has categorically stated in Paragraph 3 of the petition that the petitioner has got no criminal history. He would further submit that the recovered article is slightly more than the small quantity and much less than the commercial quantity which is 20 Kg and the small quantity being 1 Kg as prescribed. Emphasis is that considering the fact that the petitioner has no criminal history and he is in custody for about 10 months and there is no chance of conclusion of trial in near future, the petitioner may be enlarged on bail on furnishing sureties subject to the terms and conditions which may be imposed by this Court.

Learned A.P.P. representing the State is present. He opposes the application for grant of regular bail.

In the facts and circumstances of the case, considering that the petitioner has been allegedly found in possession of slightly more than the small quantity of 1 Kg Ganja, he has no criminal history, by now he has been in custody for 10 months and the trial is not likely to be concluded in near future, I would direct release of the petitioner, namely, Ranjeet Singh, on bail on his furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of the



learned Special Judge-cum-A.D.J.-I, Aurangabad in connection with Haspura P.S. Case No. 45 of 2017, G.R. Case No. 3/17 / 7/17 subject to the conditions as laid down under Section 437(3) Cr.P.C. and further conditions that one of the bailors would be a family member of the petitioner having no criminal antecedent and the petitioner shall co-operate in course of trial by putting appearance as and when required by the trial court and two consecutive failure to attend the trial would lead to cancellation of his bail.

The application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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