

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20853 of 2018

Arising Out of PS.Case No. -670 Year- 2017 Thana -HAJIPUR SADAR
District- VAISHALI(HAJIPUR)

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Sudhir Kumar, S/o Ramnath Ram, R/o Vill.- Panapur, P.S.- Jandaha,
District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Smt. Soni Shrivastava, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 27-07-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 29.12.2017 in
connection with Hajipur Sadar P.S. Case No.670 of 2017
registered for the offence under Sections 8, 20(b)(ii)(c), 25 and
29 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the
purported recovery of *Ganja* from the possession of the
petitioner is only of 2.5 Kg., which is much below the
commercial quantity. Learned counsel for the petitioner further
submits that though it has been alleged that it was recovered
from the possession of the petitioner, the submission is that the
petitioner was just standing at the bus stop and on suspicion, the



recovery of *Ganja* from the bag was saddled on his shoulder and he has been falsely implicated in this case. It is further submitted that the petitioner is a student and has no criminal antecedent.

The report from Forensic Science Laboratory has come, stating the sample to be that of *Ganja*. The seizure list, which was prepared, was from the witnesses of different places and the petitioner was forced to sign on the same.

Learned counsel for the petitioner submits that the present petitioner is willing to abide by the terms and conditions as laid down by this Court and shall co-operate further in the trial.

In view of the aforementioned facts and circumstances and since the petitioner has no criminal antecedent, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge(1st), cum Special Judge, Vaishali, Hajipur, in connection with Hajipur Sadar P.S. Case No.670 of 2017, subject to the following conditions:

(1) One of the bailors will be the father of the petitioner.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

Let the Forensic Science Laboratory report received from the Laboratory be sent to the court below, under sealed cover.

(Anjana Mishra, J)

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