

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36987 of 2018

Arising Out of PS. Case No.-1 Year-2018 Thana- BARGANIA District- Sitamarhi

Ramakant Rai, S/o Late Ram Pratap Rai, Resident of Village- Sahpur Ward
No. 8, P.S. and District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Bairgania P.S Case No. 01 of 2018 registered for the offences
punishable under Sections 8, 20 (B) (ii)/B N.D.P.S. Act.

Allegedly, 01 kg 300 grams ganja was recovered
from possession of the petitioner.

Submission is of false implication and that there is
no compliance of mandatory provision of N.D.P.S. Act. The
alleged search and seizure are not in accordance with law, the
petitioner has got no criminal antecedent and he is suffering in
custody since 07.01.2018 and, as such, now he deserves
sympathetic consideration as the recovered quantity does not



come under the purview of commercial quantity and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that by remaining in custody at this stage the petitioner has sufficiently been penalized.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge (N.D.P.S. Act), Sitamarhi, in connection with Bairgania P.S. Case No. 01 of 2018, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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