

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67579 of 2019

Arising Out of PS. Case No.-226 Year-2019 Thana- PARSA District- Saran

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JAI BAM RAI Son of Late Shiv Dayal Rai Resident of Village- Parsauna,
P.S.- Parsa, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 20/22 of the NDPS Act.

The prosecution case as lodged by the police
personnel is that during patrolling, a secret information has been
received that someone came with Ganja at Parsauna Bazar for
selling it. Then after receiving the information, the informant
informed his higher officials and after taking telephonic order
came at the place of occurrence for verifying, then the Spy said
that one Jai Bam Rai (petitioner) is selling Ganja from his shop.
When the police reached at the shop of the petitioner then
seeing the police he tried to flee away with a plastic bag, but
apprehended by the police. The police tried for independent



seizure witness but no any villagers ready for witness then in front of the police search has been made and found that 5.100kg of Ganja was present in the white plastic bag and Rs. 9025 was also found. Thereafter seizure list has been prepared and the petitioner sent to jail.

It has been submitted on behalf of the petitioner that there is recovery of 5.100kg of Ganja from the possession of the petitioner which is less than commercial quantity and the petitioner is languishing in judicial custody since 03.07.2019. He further submits that petitioner has no criminal antecedent.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Saran at Chapra in connection with NDPS Case No. 10 of 2019 arising out of Parsa Police Station Case No. 226 of 2019.

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Anjani Kumar Sharan, J)

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