

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No. 6084 of 2020**

Arising Out of PS. Case No.-614 Year-2019 Thana- JAKKANPUR District- Patna

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GANESH KUMAR S/o Sri Kedar Prasad R/o Village - New Atwarpur Dhalai
Road, P.S. Parsa Bazar, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 03-06-2020 This application has been placed for consideration

by the order of the Hon'ble the Chief Justice through virtual

court proceeding.

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner in the present case is seeking

regular bail in connection with Jakkanpur P.S. Case No. 614

of 2019 registered for the offences punishable under

Sections 8C/21C/25/29NDPS Act.

Learned counsel for the petitioner submits that as

per the First Information Report when the police party

raided the flat in question, this petitioner was found



engaged in packing of the brown sugar in small *pudiyas* and altogether 110 *pudiyas* are said to have been seized from the petitioner and co-accused Sonu Kumar.

Learned counsel submits that the total weight of these *pudiyas* were found to be 46.1 gm. It is submitted that in course of raid police has arrested several persons present in the flat from whom the recoveries were made, however similarly situated accused Mithlesh Kumar and Santosh Kumar have been granted privilege of regular bail by learned Coordinate Benches of this Court in Cri. Misc. Case No. 3816 of 2020 and Cri. Misc. Case No. 9035 of 2020. Petitioner is in custody in connection with this case since 16.09.2019.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but it is admitted that similarly situated accused have been granted privilege of regular bail by learned Coordinate Benches of this Court.

Considering the facts and circumstances of the case, particularly that the similarly situated accused have been granted privilege of regular bail in this case, let the petitioner above named be released on bail on furnishing of



bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Court of A.D.J. V, Patna in connection with Jakkanpur P.S. Case No. 614 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such



observance prior to and after release of the petitioner.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

