

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26895 of 2020

Arising Out of PS. Case No.-1408 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

RANJEET KUMAR Son of Late Kedar Sah Resident of Village - Rasulpur
Wazid, P.S. - Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bipin Chandra, Adv.

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-10-2020 Heard Dr. Bipin Chandra, learned counsel for the

petitioner and Mrs. Anita Kumari Singh, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Ahiyapur PS Case No. 1408/2019 registered for the offence
punishable under Sections 20/22 of the NDPS Act.

3. The allegation against the petitioner, as per First
Information Report, is that the police recovered 100 Gms of
Charas from the possession of petitioner along with other
accused persons.

4. Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and petitioner has got no criminal antecedents. Learned counsel
for the petitioner further submits that the *Charas* allegedly



recovered from the possession of the petitioner is less than the commercial quantity. Learned counsel for the petitioner further submits that at the time of search and seizure the procedure prescribed under Section 50 of the NDPS Act has not been complied with.

5. Learned counsel for the petitioner submits that other similarly situated co-accused persons, namely, 1. Sanjay Kumar Rai vide Cr. Misc. No. 16777/2020, 2. Md. Moti vide Cr. Misc. No. 17296/2020, 3. Santosh Kumar vide Cr. Misc. No. 18207/2020, 4. Sanjeev Kumar vide Cr. Misc. No. 18377/2020, 5. Chhotu Das vide Cr. Misc. No. 22140/2020, 6. Sanjay Kumar vide Cr. Misc. No. 20790/2020 and 7. Suraj Kumar vide Cr. Misc. No. 19999/2020 have been granted bail by this court.

6. Learned counsel for the petitioner submits that petitioner is in custody since 30.11.2019.

7. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner subject to the conditions that (1) one of the bailors must be near relative of the petitioner having sufficient immovable property residing within the territorial jurisdiction of



the court concerned and (2) petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

8. Accordingly, let the petitioner, RANJEET KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Muzaffarpur in connection with Ahiyapur PS Case No. 1408/2019.

9. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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