

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.29214 of 2020**

Arising Out of PS. Case No.-24 Year-2020 Thana- SONBERSA District- Sitamarhi

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DHARMENDRA KUMAR S/o Ram Kailash Sah Resident of Village-
Narkatiya Tola, Police Station- Sonbarsa, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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

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

2 11-11-2020 Learned counsel for the petitioner undertakes to remove

all the defects pointed out by the Stamp Reporter within four weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Binod
Kumar, learned APP for the State.

The petitioner in the present case is seeking regular bail in
connection with Sonbarsa P.S. Case No. 24 of 2020 registered for the
offences punishable under Section 414 of the Indian Penal Code and
Sections 8, 20 (b) (ii) (B) of the Narcotic Drugs & Psychotropic
Substances Act.

Learned counsel for the petitioner submits that as per the
First Information Report the petitioner along with other two accused,
namely, Akhilesh Mahto and Punit Shah have been arrested by the
patrolling party and from their possession altogether 10 kgs of ganja
were recovered.



It is further submitted that the petitioner has no criminal antecedent, the quantity of ganja is less than the commercial quantity, the petitioner has remained in jail since 04.02.2020 and in the meantime co-accused Akhilesh Mahto has been granted regular bail by a learned Co-ordinate Bench of this Court in Cri. Misc. No. 29692 of 2020 on 09.11.2020.

Mr. Binod Kumar, learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the submissions of learned counsel for the petitioner as noticed hereinabove, this Court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS), Sitamarhi, in connection with Sonbarsa P.S. Case No. 24 of 2020, subject to the condition as laid down under Section 437 (3) 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, 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.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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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'.

