

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30411 of 2020

Arising Out of PS. Case No.-66 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

=====

AKHILESH RAM S/o Late Bahadur Ram R/o Vill.-Sijhua, P.S.-Ramgadh,
Distt.-Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP.

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 16-12-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Mr. Akbar Ali, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Bhagwanpur PS Case No. 66 of 2020, NDPS Case No. 14 of 2020 registered under Sections 8/20(b) (ii) (c) 27(A) of the NDPS Act.

The police official has lodged the information that while he was on petrolling duty, he received information of two motorcycle borne riders coming with the intent to trade Ganja. On the check point two motorcycle borne persons tried to flee away and were



apprehended. The petitioner is one of those persons. From the motorcycle there is alleged recovery of 16.5. Kg of Ganja kept in a plastic bag.

Learned Counsel for the petitioner submits that the recovery of 16.5 Kg Ganja is not from the possession of the petitioner but from the motorcycle. The petitioner has no criminal antecedent. The quantity is much less than the commercial and co-accused Dinesh Kumar, who has been apprehended along with the petitioner with the Ganja in question, has been granted bail vide Cr. Misc. No. 27152 of 2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge -cum- Special Judge, Kaimur at Bhabua in Bhagwanpur PS Case No. 66 of 2020, NDPS Case No. 14 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

U		T	
---	--	---	--

