

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13928 of 2021

Arising Out of PS. Case No.-584 Year-2020 Thana- ALAMGANJ District- Patna

BHOLA SAO @ BHOLA SAW Son of Rajendra Sav R/o- Baliyari, P.S.-
Bikram, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Jagdhar Pd. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Alamganj P.S. Case No.

584 of 2020 corresponding to Special Case No. 144 of 2020,

registered for the offence punishable under Sections 20/22 of the

NDPS Act.

As per the prosecution case, 810 gms. of Ganja and

cash of Rs. 13760/- has been recovered from possession of this

petitioner.

It is submitted on behalf of the petitioner that nothing

has been recovered from conscious possession of this petitioner.

The recovered Ganja is of small quantity, as such rigorous of

Section 37 of the NDPS Act, would not be attracted. Mandatory



provision of search and seizure has not been followed and petitioner is in custody since 27.09.2020.

Considering the period of custody and the fact that small quantity of Ganja was recovered, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge IX, Patna in connection with Alamganj P.S. Case No. 584 of 2020 corresponding to Special Case No. 144 of 2020, subject to following conditions:-

(i) The 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 the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

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