

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11298 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- DIDARGANJ District- Patna

Bhola Ray @ Bhola Rai, aged about 29 years, Gender- Male, S/o Late Ranjit Ray, R/o village- Didarganj, P. S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-08-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

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

The petitioner seeks bail in Didarganj PS Case No.190 of 2020, instituted for the offence under Sections 8(iii)/20(b)(ii) (c)/22(c) of the N.D.P.S. Act.

The petitioner was an absconder in two cases. Police



have received intimation that he is present on home. They have raided his house leading to his arrest and recovery of 7.6 kg of '*Ganja*'.

The learned counsel for the petitioner submits that there is no independent witness to the seizure list. The '*Ganja*' had actually been planted. The petitioner has no concern with the same. The recovery is of much below the commercial quantity. The petitioner is on bail in the other three cases, pending against him, since before and, in the instant case, he is in custody since 29.08.2020.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, 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 the learned **Additional District Judge- XVII, Patna**, in connection with **Special Case No. 125 of 2020, arising out of Didarganj P.S. Case No. 190 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)

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