

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18685 of 2021

Arising Out of PS. Case No.-271 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

Rohit Kumar @ Rohit Singh @ Rohit Kumar Singh, aged about 21 years, male, son of Rakesh Kumar @ Rakesh Singh Resident Of Village- Gharbhara, P.S.- Bochahan, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-11-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for short 'APP') for the State.

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.

The petitioner seeks bail in Bochahan PS Case No. 271 of 2020 instituted for the offence under Section 414 of the Indian Penal Code and Section 20/22 of the NDPS Act.

Small quantity *ganja* (500 grams) has allegedly been recovered from the petitioner's possession.

It is submitted that he was carrying the same on a stolen motorcycle. Learned counsel for the petitioner submits that he



has three criminal antecedents and none are relating to offence under the NDPS Act. It is based on these pre-existing antecedents that he has been implicated in this case. The alleged recovery is denied and disputed and it is submitted that the same is not in accordance with law. He is stated to be in custody since 04.10.2020. It is stated that in the three cases pending against him since before, he is on bail.

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

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 Vth Additonal Sessions Judge, Muzaffarpur, in connection with Bochahan P S Case No. 271 of 2020, NDPS Case No. 91 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)

shyambihari/-

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

