

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19772 of 2021

Arising Out of PS. Case No.-154 Year-2020 Thana- NADI P.S. District- Patna

SANJAY KUMAR Son of Ganga Mahto Resident of Village - Fatehjangapur,
P.s.- Nadi, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-11-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Nadi P.S. Case No. 154 of 2020 (Special Case No. 142 of 2020) registered for the offence under Sections 8(iii), 20(b)(ii)(c), 22(c) of the N.D.P.S. Act.

Altogether 5 Kg of Ganja was recovered from the plastic bag.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is



innocent and has not committed any offence. In fact, nothing incriminating has been recovered from the conscious possession of the petitioner and the petitioner has no concern with the alleged recovery of Ganja. Moreover, the co-accused, namely, Vijay Kumar and Manjit Kumar, having more or less similar allegation have already been granted bail by a co-ordinate Bench of this Court vide order dated 20.07.2021 and 15.11.2021 passed in Cr. Misc. No. 24782 of 2021 and Cr. Misc. No. 19733 of 2021, respectively. The petitioner is rotting in judicial custody since 21.09.2020.

Learned A.P.P. for the State has opposed the prayer for bail the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XVI, Patna in connection with Nadi P.S. Case No. 154 of 2020 (Special Case No.142 of 2020) subject to the following conditions:

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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(Rajesh Kumar Verma, J)

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