

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21569 of 2021

Arising Out of PS. Case No.-200 Year-2020 Thana- LAURIA District- West Champaran

RAJ KUMAR GIRI Son of Ramnath Giri Resident of Village- Bhanachak,
Police Station- Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv.

For the Opposite Party/s : Mr. Arun Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-09-2021 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 20/22/23/27 of the N.D.P.S. Act.

The informant along with armed forces were on patrolling duty and in course thereof he saw a person in suspicious condition. On seeing the police, he started fleeing away but he was apprehended and disclosed his name as Raj Kumar Giri (petitioner). On query, 600gm Ganja was recovered from the possession of the petitioner. Accordingly, a seizure list



was prepared.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that police recovered 600gm of Ganja from the possession of the petitioner which is less than commercial quantity. He further submits that petitioner has six criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 25.11.2020.

Considering the facts and circumstances of the case and the fact that the seized article is less than commercial quantity, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Lauriya P.S. Case No. 200 of 2020, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He 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



and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(V) that the petitioner will appear before the concerned P.S. once in a month till conclusion of trial.

(Anjani Kumar Sharan, J)

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