

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30172 of 2021**

Arising Out of PS. Case No.-244 Year-2020 Thana- PALIGANJ District- Patna

ADARSH MISHRA @ MICHLE Son of Sunil Mishra Resident of Village-
Amathu, P.S.- Bikramganj, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 13-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Paliganj P.S. Case No. 244
of 2020, registered for the offence punishable under Sections
8/20(b)(ii)(c) of the Narcotic Drugs and Psychotropic
Substances Act.

As per the prosecution case, on 26.07.2020, the police
intercepted a motorcycle at Rani Talab on NH-139, on which
three accused persons including the petitioner were sitting and
were having two plastic bags in their hand, upon search, from
the bag of co-accused Ranish Kumar 9.420 Kg of Ganja and
from the bag of co-accused Rahul Jaikar 12.430 Kg of Ganja
have been recovered. Total quantity of recovered Ganja is



21.850 Kg.

It is submitted on behalf of the petitioner that it is apparent from the FIR and seizure list that no narcotic has been recovered from conscious possession of this petitioner. Petitioner is neither owner nor driver of vehicle in question and he was simply a pillion rider having no knowledge about the narcotic which was being carried on the said motorcycle. Petitioner is in custody since 26.07.2020 having no criminal antecedent.

Considering the facts and circumstances of the case, 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 Judge XVII, Patna in connection with Paliganj P.S. Case No. 244 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)

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