

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37757 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- SONBERSA District- Sitamarhi

RANJAY SAH Son of Ram Swarth Sah Resident of Village - Hariaun, Police
Station - Malangwa, District - Sarlahi (Nepal)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhubala Verma, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-12-2021 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

Sonbarsa P.S. Case No. 102 of 2021 registered for the offence

under Sections 414 of the Indian Penal Code and Section

21(b) of the N.D.P.S. Act.

The case relates to recovery of six pieces of

Winsires Syrup from the air filter of motorcycle of the

petitioner.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, nothing has been recovered from the conscious possession of the petitioner. Although, according to the prosecution, six pieces of Winsires Syrup are alleged to have been recovered from the motorcycle of the petitioner but the same does not come within the purview of N.D.P.S. Act. More particularly, the alleged motorcycle does not belong to the petitioner. The petitioner is rotting in judicial custody since 15.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail of 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. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge -cum- Special Judge, Sitamarhi in connection with Sonbarsa P.S. Case No. 102 of 2021 with 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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