

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38464 of 2021

Arising Out of PS. Case No.-150 Year-2021 Thana- DIGHWARA District- Saran

PANKAJ KUMAR Son of Akhilesh Hazara Resident of Village- Trilockchak,
(Ramdaschak), Police Station- Dighwara, District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Dighwara P.S. Case No. 150 of 2021 (NDPS Special Case No. 16 of 2021) registered for the offences punishable under Sections 20/ 22 of the NDPS Act.

Allegation against the petitioner is that during raid he was caught smoking Ganja. It is further alleged that co-accused Kamleshwar Kumar Singh @ Ganpat Singh used to sell Ganja and petitioner along with other accused used to come to his house for smoking Ganja.



Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. No incriminating article has been recovered from conscious possession of the petitioner. It appears from the FIR itself that petitioner was found only smoking Ganja at the place of occurrence. It is further submitted that petitioner is Government 4th Class Employee working in Bihar Vidhan Parishad, Patna. Petitioner is in custody since 05.06.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Sessions Judge cum Special Judge, Saran at Chapra in connection with Dighwara P.S. Case No. 150 of 2021 (NDPS Special Case No. 16 of 2021), 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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