

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31869 of 2020**

Arising Out of PS Case No.-103 Year-2020 Thana- MADANPUR District- Aurangabad

Jai Govind Ram, aged about 45 years (Male) Son of Karamu Ram, Resident of Village - Khutidih, PS - Madanpur, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bachan Jee Ojha, Advocate
For the State	:	Ms. Anita Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 02-03-2021

Heard Mr. Bachan Jee Ojha, learned counsel for the petitioner and Ms. Anita Kumari Singh, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Madanpur PS Case No. 103 of 2020 dated 05.06.2020, instituted under Sections 8 (b)/20(a)/20(b)/20(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The allegation against the petitioner is that in the open filed behind his house, five plants of *Ganja* were found.

4. Learned counsel for the petitioner submitted that in the same FIR, there is allegation against one Amin Ram that from behind his house 95 plants of *Ganja* was recovered and he has



been granted anticipatory bail by a co-ordinate Bench by order dated 20.02.2021 passed in Cr. Misc. No. 32101 of 2020. It was submitted that the petitioner has one other criminal antecedent but for a case relating to a fight, that too, of the year 2014, in which he is on bail.

5. Learned APP submitted that there is recovery of *Ganja* Plant but did not controvert the fact that it was from behind the house of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ 1st -cum- Special-Judge, Aurangabad in Madanpur PS Case No. 103 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further, (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any



law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

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