

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36737 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

=====

Ranjan Prajapati, male, aged about 21 years, Son of Chandi Kohar @ Chandi Prajapati, Resident of Village - Dihi Banshi Tola, Ward No. 2, P.S. - Dhanaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Sahay, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 27-04-2021 Heard the counsel for the parties.

The petitioner seeks bail in connection with Samastipur Rail P.S. Case No. 8 of 2020, dated 12.01.2020, instituted for the offence under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

This Court had called for a report about the stage of the case from the Trial Court vide order dated



04.03.2021.

The report, referred to above, has since been received and it indicates that the case is pending at the stage of prosecution evidence and no prosecution witness has been examined so far; notwithstanding the fact that the petitioner is in custody since 13.01.2020.

It has been submitted on behalf of the petitioner that though recovery of 25.445 Kgs. of Ganja has been saddled upon the petitioner, but the same was recovered from a trolley bag kept beneath a berth of the train in which the petitioner was traveling. It has further been submitted that the petitioner does not have criminal antecedents and has two children to feed.

The learned counsel for the petitioner has submitted that he shall participate in the trial and is ready to accept any condition which this Court may deem fit in the facts of the case to impose.

Considering the facts afore-stated and taking into account the fact that there has not been any substantive progress in the case before the Court below, this Court is



inclined to grant bail to the petitioner, subject to certain conditions.

The petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-Cum-Special Judge, Samastipur in connection with Samastipur Rail P.S. Case No. 8 of 2020, subject to following conditions:-

- (i) That the petitioner shall participate in the trial;
- (ii) That the absence of the petitioner from the trial proceedings on two consecutive occasions, without prior consent of the Trial Court, would render his bail liable to be cancelled;
- (iii) That the petitioner, without seeking permission from the Trial Judge, shall not leave the territorial confines of the Trial Court; and
- (iv) That the petitioner shall also get his presence marked before the Officer-in-Charge of the concerned police station on the first Monday of each month. The Officer-in-



Charge of the concerned police station is directed not to detain the petitioner in the police station unnecessarily.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

