

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35784 of 2020

Arising Out of PS. Case No.-62 Year-2020 Thana- JALE District- Darbhanga

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1. Kamal Roy @ Kappal Roy (Male), aged about 68 years, son of Late Ramhit Ray.
 2. Arbind Kumar (Male), aged about 30 years, son of Shri Santlal Roy.
Both resident of Village - Bharatnagar, P.S.- Gayaghat, District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 24-02-2021 Heard learned counsel for the petitioners and
learned APP for the State.

In this case, the petitioners are seeking regular bail in connection with Jale P.S. Case No. 62 of 2020, registered for the offence under Sections 20(b)(ii)(B)/22(b) of the N.D.P.S. Act.

Allegation has been made that about 2 Kg. 800 grams of *ganja* has been recovered from the possession of the petitioners.

Learned counsel for the petitioners submits that the *ganja* which has been recovered is much below the commercial quantity. He further submits that the petitioners have no criminal history and they are in judicial custody since 19.05.2020.



Considering the aforesaid facts as also the period of custody, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, N.D.P.S. Darbhanga, in connection with Jale P.S. Case No. 62 of 2020, subject to the condition that (i) one of the bailors shall be a close relative of the petitioners i.e. mother / father / brother / wife (ii) if the petitioners are found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of bail of the petitioners and (iii) the petitioners would cooperate in the proceeding of the court below. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioners.

(Shivaji Pandey, J)

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