

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5946 of 2021

Arising Out of PS. Case No.-204 Year-2020 Thana- JOGBANI District- Araria

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Mukesh Kumar Sah, S/O Keshari Chand Sah, Resident of Village-
Baijanathpur, Police Station-Jogbani, District-Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 22-07-2021 The matter has been listed today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Jogbani
P.S. Case No.204 of 2020, corresponding to Special Case No.10
of 2020, registered for the offence punishable under Sections 21,
22, 23 of the N.D.P.S. Act.

3 Kg. *Ganja* has allegedly been recovered from a bag
attached to the motorcycle which the petitioner was driving.

The Counsel submits that the petitioner is innocent.
Submission is of false implication. He denies and disputes the
recovery altogether. It is also submitted that he has no concern
with the motorcycle. Recovered quantity is much less than the



commercial quantity and the petitioner has no criminal antecedents. He is stated to be in custody since 26.08.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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, Araria, in connection with Jogbani P.S. Case No.204 of 2020, corresponding to Special Case No.10 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings



regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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