

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5114 of 2021**

Arising Out of PS. Case No.-471 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

RAUSHAN KUMAR @ RAVI RANJAN aged about 22 years Son of Ranjit
Thakur Resident of Village - Madhubani Patahi, P.S.- Sadar, Distt.-
Muzaffarpur. ... Petitioner

Versus

The State of Bihar ... Opposite Party

=====

Appearance :

For the Petitioner : Mr.Alok Kumar Alok, Advocate
For the Opposite Party : Mr.A.G

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 13-04-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections 414/34 of
the Indian Penal Code and sections 20 and 22 of the NDPS Act.

As per the prosecution case, on the secret information,
raid was conducted and this petitioner along with co-accused
Bambam Thakur were caught by the police and upon search
100 grams of Charas was recovered from the possession of this
petitioner and 250 grams of Charas was recovered from the
possession of the co-accused Bambam Thakur.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He submits that less than small quantity of Charas has



been recovered from the possession of this petitioner and so far as motorcycle is concerned, the same is registered in the name of father of this petitioner and as such it cannot be said that the motorcycle in question was stolen property. It is further submitted that the mandatory provisions for search and seizure contained in sections 42 and 52 of the NDPS Act have not been followed. Petitioner has claimed clean antecedent and he is in custody since 27.8.2020.

Considering the fact that small quantity of Chars has been recovered from the possession of the petitioner coupled with the fact that the petitioner has got clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I, Muzaffarpur in Sadar Police Station Case No. 471 of 2020 on 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/her absence on two consecutive dates without sufficient reason, his/her 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.

(Prabhat Kumar Singh, J)

Shashi

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

