

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11471 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- RAJAON District- Banka

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1. AKHILESH KUMAR SON OF MANOJ PODDAR R/O - KATIYAMA, P.S.- RAJOUN, DISTRICT- BANKA
 2. ABHISHEK KUMAR SON OF DILIP PODDAR R/O - KATIYAMA, P.S.- RAJOUN, DISTRICT- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Mr. Najimul Hoda, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioners seek regular bail in connection with
Spl. Case No. 01 of 2022, arising out of Rajoun P.S. Case No.
11 of 2022 for the offence punishable under Section 22 of the
N.D.P.S. Act.

As per the allegation made in the F.I.R., 2.4 Kg Ganja
was recovered from the house of petitioner No.1 and 7.6 Kg of
Ganja was recovered from the house of petitioner No.2.

Learned counsel appearing on behalf of the petitioners
submits that the petitioners are innocent, the alleged recovery



has been made from the house of petitioner for which their father is responsible. The petitioners are students aged about 18 years and 20 years, respectively. The quantity of alleged ganja recovered is below the commercial quantity. The petitioners are in custody since 10.01.2022 for no fault of their own.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioners.

Considering the aforementioned facts and circumstances of the case and nature of allegation without going into the merits of the case, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Banka in connection with Special Case No. 01 of 2022, arising out of Rajoun P.S. Case No. 11 of 2022, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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