

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18841 of 2022

Arising Out of PS. Case No.-17 Year-2022 Thana- AKBARPUR District- Nawada

Manoj Singh, Son Of Late Jhulan Singh, Resident Of Village- Koyri Bigha,
Police Station- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma- Sr. Advocate Mr. Lakshmi Kant Sharma
For the Opposite Party/s	:	Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 08-08-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Akbarpur P.S. Case No. 17 of 2022, PTN – 122 of 2022,

registered for the offences punishable under Sections

8(b)/20(a)(b) of N.D.P.S. Act.

As per allegation, 7 green jattedar plants of Ganja,

weighing 59.600 kgs., were recovered from the courtyard of

the petitioner.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

this case. He further submits that in fact the alleged



contraband plants of Ganja were stray plants grown up sporadically and there was no role of the petitioner in cultivation of the same. He further submits that there is no independent witness to the seizure. He also submits that the petitioner is languishing in jail since 16.01.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Nawada in connection with Akbarpur P.S. Case No. 17 of 2022, PTN - 122 of 2022, on the following conditions:

- (i) The petitioner will make himself available for



interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.



The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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