

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24699 of 2022

Arising Out of PS. Case No.-23 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhojpur

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Ramakant Prasad S/o Tejnarayan Sah Resident of Akaruan Ward No. 02, P.S.-
Piro, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Narcotics Control Bureau Patna through its Intelligence Officer, U.O.I.
Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Usha Kumari Singh, Adv.
	:	Mr. Ansul, Adv.
For the Opposite Party/s	:	Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special (NDPS) Case No. 12 of 2021 (arising out of F. No.
NCB/PZU/V/23/2021), lodged under Sections 21(c), 22(c) and
29 of N.D.P.S. Act.

As per the prosecution case, total 650 gm of heroin
has been recovered, which is the subject matter of the present
case.

Learned counsel for the petitioner submits that the

said recovery, as per the seizure list, has been made from the possession of the one accused Basukinath Gupta and another Aditya Roy. Learned counsel also submits that from the present petitioner, nothings was recovered and his name has been figured in this case by virtue of confessional statement only. Learned counsel further submits that the team of NCB has arrested him from a different place then the place of occurrence. The *jama-talasi* of the present petitioner shows that no N.D.P.S. material was seized from the possession of the petitioner. Learned counsel also submits that the antecedent of the petitioner is not clean but antecedent is not of N.D.P.S. case and he is on bail in the said case, and charge-sheet has already been filed in this case, and petitioner is in custody since 14.11.2021.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 3rd, Bhojpur, Ara in connection with N.D.P.S. (Spl) Case No. 12 of 2021 (arising out of F. No. NCB/PZU/V/23/2021), subject to the

conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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