

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25215 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

Bharat Kumar Singh @ Bharat Kumar Son of Lalan Singh Resident of Vill. -
Nadokhar, P.S.- Kudra, District - Kaimur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vikramdeo Singh, Advocate
For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-08-2022 Heard Mr. Vikramdeo Singh, learned counsel for
the petitioner and the learned APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
Gaya Rail P.S. Case No. 13 of 2022 under sections 8/20b(2)(c)
of NDPS Act.

The allegation in the FIR is that when the police
was on patrolling duty at Gaya Railway Station, they found two
persons in suspicious condition and upon search of their
respective bags, it is alleged that from the petitioner herein
15.900 kgs 'Ganja' was recovered/seized whereas from Anjani
Pandey 10 kgs. was recovered/seized.

Learned counsel for the petitioner submits that the



alleged recovery is below the commercial quantity (20 kgs) envisaged in the NDPS Act.

He further submits that the petitioner is in custody since 10.1.2022 (as stated in para-13 of the bail application) and has no criminal antecedent.

Taking into account the aforesaid fact that as also the petitioner is in custody since 10.1.2022, he has no criminal antecedent and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge cum Special Judge, Gaya, in connection with Gaya Rail P.S. Case No. 13 of 2022 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police



station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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