

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26786 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- SARAIYA District- Muzaffarpur

Pankaj Kumar Thakur Son Of Ram Vinod Thakur Resident Of Village-
Ismailpur Ps- Sadar Hajipur District - Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-08-2022 None appears on behalf of the petitioner on call.

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

The case is registered under sections 25(1-b)a, 26
and 35 of the Arms Act and sections 20 and 22 of the NDPS Act
in connection with NDPS Case No. 26 of 2022 arising out of
Saraiya P.S. Case No. 16 of 2022.

The allegation in the FIR is that on secret
information, the police tried to apprehend four persons. While
two of them managed to escape, the other two were
apprehended and so far as the allegation against this petitioner is
concerned, one kg. of ‘Ganja’ and a smart phone was/were
recovered from him.

As per the averment made in the bail application,



the quantity alleged to have been recovered by the police is 1.05 kgs. which is less than the commercial quantity and he has been made accused only because he has 15 criminal cases in his belt.

Taking into account the fact that he is in custody since 8.1.2022 (as stated in para-1 of the bail application), the charge sheet stands submitted and the recovery is 1 kg. of 'Ganja', this Court is inclined to grant him the privilege of bail after framing of charges in view of the fact that he has more than a dozen criminal cases.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional District and Sessions Judge-I, Muzaffarpur, in connection with NDPS Case No. 26 of 2022 arising out of Saraiya P.S. Case No. 16 of 2022 after framing of charges 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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