

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28351 of 2022

Arising Out of PS. Case No.-17 Year-2022 Thana- SONBERSA District- Sitamarhi

Sanjiv Kumar @ Sanjeev Ram @ Sanjeep Ram @ Sanjiv Kumar Ram Son of
Vinod Ram @ Binod Ram Resident of Village - Chhaurahiya, P.s.- Saihara @
Sahiyara (Wrongly stated in accused Column P.s.- Sonbarsa), Distt.-
Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The case is registered under sections 8/20(b)(ii)(B)
of the NDPS Act in connection with Sonbarsa P.S. Case No. 17
of 2022.

As per the allegation in the FIR, the police found a
motorcycle coming on Indo-Nepal check post. It was
intercepted and upon opening bag, it is alleged that ‘Ganja’ like
material was recovered and upon weighing, it was found to be
2.5 kgs. Accordingly, both the persons were arrested, the
petitioner was one of them.



Learned counsel for the petitioner submits that the bag does not belong to him and only because he failed to satisfy the local police, he was implicated in this case. He lastly submits that in any case he has suffered by being in jail since 19.1.2022 (as stated in para-14 of the bail application).

Taking into account the aforesaid facts that the petitioner is in custody since 19.1.2022 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. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Special Judge, NDPS Act, Sitamarhi, in connection with Sonbarsa P.S. Case No. 17 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;

(v) 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)

Ravi/-

U		T	
---	--	---	--

