

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44440 of 2021

Arising Out of PS. Case No.-244 Year-2020 Thana- PALIGANJ District- Patna

RAHUL JAIKAR SON OF BINOD SHARMA R/O VILLAGE- SHERPUR,
P.S.- MANER, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Usha Kumari Singh, Adv.
For the Opposite Party/s :	Mr. Rabindra Kumar, APP
	Mr. Ratnesh Kumar (CGC)

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 28-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 8, 20(b) (ii)(C) of the N.D.P.S. Act and sections 414 and 34 of the Indian Penal Code.

As per the prosecution case, 12.430 kgs of ganja was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession and he has been falsely implicated in the case. The alleged recovery is less than the commercial quantity. He is in custody since 27.7.2020 and chargesheet has been submitted in the case.



Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner having remained in custody for 1 year 7 months, the Court directs the petitioner to be enlarged on bail in connection with Special Case no.108 of 2020 (arising out of Paliganj P.S. Case no.244 of 2020) on furnishing bail bond of Rs.25,000/ (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge, Patna on the following conditions:

- (i) one of the bailors of the petitioner shall be a close relative of the petitioner.
- (ii) the petitioner shall remain physically present in Court on each date of the case/trial and shall cooperate in the trial.

In case of violation of any of the conditions, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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