

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34859 of 2022**

Arising Out of PS. Case No.-626 Year-2021 Thana- NAUBATPUR District- Patna

RAVI RANJAN KUMAR @ CHINTU @ CHINTU KUMAR Son of Late  
Manilal Singh Resident of Village - Mahamdalichak, P.S.- Naubatpur,  
District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Advocate  
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      13-09-2022                      Heard learned counsel for the petitioner and learned  
counsel for the State.

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

The petitioner is in judicial custody in connection  
with Naubatpur P.S. Case No. 626 of 2021 (Spl. Case NO. 185  
of 2021) for the offences under Sections 25(1-b)a, 26 of the  
Arms Act and sections 20/21(B)/22 and 27 of the NDPS Act.

The allegation in the FIR is that of recovery of  
country-made pistol along with two cartridges and seven grams  
of smack from the petitioner.

Learned counsel for the petitioner submits that he has  
no criminal antecedent and has been implicated in this case in



any case the recovery/seizure of the smack is below the commercial quantity.

*Per contra*, Mr. Jitendra Kumar Singh, learned APP for the State submits that it is above five grams which is more than the small quantity and as such, it can be easily understood that the same was kept for sale and not for his personal use.

The petitioner is in custody since 27.11.2021, the alleged recovery is below the commercial quantity, charge sheet stands submitted and he has no criminal antecedent, this Court is inclined to grant him privilege of bail.

If however, it is found that he do have criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge – XIII, Patna in connection with Special Case No. 185 of 2021 arising out of Naubatpur P.S. Case No. 626 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member 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)**

Jagdish/Neha-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

