

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45698 of 2021**

Arising Out of PS. Case No.-65 Year-2021 Thana- CHANDRAMANDI District- Jamui

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SURAJ KUMAR S/o SATYA NARAYAN SAH R/o VILLAGE-
PUJHARDIH, P.S- CHANDRAMANDI, DISTRICT-JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-02-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner, who is in custody since 15.04.2021,
seeks regular bail in connection with N.D.P.S. Case No. 04 of
2021, arising out of Chandramandi P.S. Case No. 65 of 2021 for
the offence punishable under Sections 20 and 22 of the N.D.P.S.
Act.

The prosecution case, in brief, is that during checking
of vehicles by the police party, one motorcycle borne miscreant
tried to flee away and on chase he was apprehended by the



police. The apprehended person disclosed his name as Suraj Kumar (petitioner) and from his possession 6 Kg of Marijuana (ganja) was recovered and accordingly seizure list was prepared.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that though recovery of 6 kg of Marijuana (ganja) from the possession of the petitioner has been shown in the seizure list, however petitioner has been forced to sign the alleged seizure list in the police custody. Nothing incriminating has been recovered from conscious possession of the petitioner. Petitioner has clean antecedent and due to enmity the petitioner has been roped in the present case. He further submits that the recovered quantity of marijuana (ganja) is less than the commercial quantity and the petitioner is in custody since 15.04.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, nothing has been recovered from conscious possession of the petitioner, recovered quantity of marijuana (ganja) is less than the commercial quantity and petitioner is in custody since 15.04.2021, the petitioner, above



named, is directed to be enlarged on bail 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, Jamui in connection with N.D.P.S. Case No. 04 of 2021, arising out of Chandramandi P.S. Case No. 65 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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