

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34858 of 2022

Arising Out of PS. Case No.-50 Year-2022 Thana- TARIYANI CHOWK District- Sheohar

RAJARAM MAHTO Son of Late Anchit Mahto Resident at Village-
Vishunpur Bindi, Ward No. 13, P.S.- Tariyani, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, 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 Tariyani P.S. Case No. 50 of 2022 for the offences under
Sections 8 and 20 (B) (ii) © of the Narcotic and Psychotropic
Substance Act.

As per the FIR, the police upon secret information,
raided his tea stall and recovered/seized 1.50 kg ‘ganja’ as also
24 pieces of ‘chilam’.

Learned counsel for the petitioner submits that
recovery/seizure of ‘ganja’ is much below the commercial
quantity and slightly above the smaller quantity for which he



has already suffered a lot by being in custody since 13.02.2022 (as stated in paragraph 6 of the bail application).

Considering the quantity of recovery/seizure of 'ganja' as also the fact that he is in custody since 13.02.2022, charge sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of learned District and Session Judge-cum-Special Judge, Sheohar in connection with N.D.P.S. Case No. 03 of 2022 arising out of Tariyani P.S. Case No. 50 of 2022, 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-

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