

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45053 of 2021**

Arising Out of PS. Case No.-95 Year-2021 Thana- RAMGARH District- Kaimur (Bhabua)

PINTU KUMAR GUPTA @ PINTU SAH S/o Shivchandra Gupta Resident of
Village - Sisaura, P.S. - Ramgarh, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Patel, Adv
For the Opposite Party/s : Ms.Pronoti Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 12-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 20(b)(ii)(B) of NDPS Act.

As per allegation, in course of raid, 5.300 Kg of Ganja has been recovered from the house of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that it appears from the FIR that altogether 05 Kg 300 Gms of Ganja like substance were recovered from the house of the petitioner. He further submits



that nothing has been recovered from possession of the petitioner rather the recovery has been made the joint house property of the petitioner and the recovered Ganja is less than the commercial quantity and there is no imagination of Section 37 of NDPS Act. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.05.2021.

Learned A.P.P. for the State, on the basis of the material available on the record and the case diary, has opposed the prayer for bail of the petitioner and submits that the FSL Report reveals that the recovered substance is found to be Ganja containing Tetra Hydro Cannabinol (T.H.C.) as their chief intoxicating ingredient.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ramgarh Police Station Case No.95 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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