

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38740 of 2022

Arising Out of PS. Case No.-332 Year-2022 Thana- KAHALGAON District- Bhagalpur

Rajesh Kumar Raj Son Of Dilip Sah R/O Village- Chai Tola, Kaithpura, P.S.-
Rasalpur (KAHALGAON), District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The case is registered under sections 20/22 of the
N.D.P.S. Act, in connection with N.D.P.S. Case No. 50 of 2022
arising out of Kahalgaon (Rashalpur) P.S. Case No. 332 of
2022.

As per the prosecution story, the police upon
information that the petitioner is engaged in illegal trade, wine
and ‘Ganja’ reached his house and 900 grams of ‘Ganja’ kept in
a plastic bag was recovered/seized. Accordingly, the FIR was
instituted, seizure list prepared and the petitioner was arrested.

Learned counsel for the petitioner with reference to



para-9 of the bail application has stated that there is recovery of 900 grams of 'Ganja' from the joint house. He further submits that he is in custody since 17.4.2022 (as stated in para-11 of the bail application) and is ready to abide by any terms and conditions. His last submission is that he do not have any criminal antecedent.

Taking into account the aforesaid facts that recovery is of 900 grams of 'Ganja' from the joint house of the petitioner, is in custody since 17.4.2022, he does not carry any criminal antecedent and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail. However, if it is found that any statement made in the bail application is false, this bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned District and Sessions Judge, Bhagalpur, in connection with N.D.P.S. Case No. 50 of 2022 arising out of Kahalgaon (Rashalpur) P.S. Case No. 332 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 reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) 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)

Ravi/Ajay

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