

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38492 of 2022

Arising Out of PS. Case No.-47 Year-2021 Thana- CHAPRA RAIL P.S. District- Saran

DOMAN ROY SON OF CHATUR ROY R/O VILLAGE- MIRPUR, P.S.-
FATEHPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-09-2022 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 N.D.P.S. Case No. 17 of 2021 arising out of Rail Chapral
P.S. Case No. 47 of 2021 for the offences under Sections 20/22
of the N.D.P.S. Act.

The allegation is regarding the informant and other
police personnel having apprehended the petitioner from a train
standing at the railway platform in question and upon search
9.200 kgs '*ganja*' and a mobile phone was recovered from the
possession of the petitioner.

Learned counsel for the petitioner submits that the



recovery of 9.200 kgs '*ganja*' has been attributed to Anil Jha and nothing was recovered and/or the petitioner was arrested from the spot and it was in the confessional statement of Anil Jha, he has been dragged in this case. It is his last submission that the said accused Anil Jha has since been released on bail vide order dated 09.05.2022 passed in Cr. Misc. No. 69718 of 2021 by a co-ordinate Bench of this Court.

Let the same be kept on record.

Taking into account the fact that he is in custody since 11.02.2022 (as stated in paragraph-13 of the bail application), the recovery has been attributed to accused, Anil Jha who has since been released on bail as stated above, 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. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned A.D.J. I-cum-Special Judge N.D.P.S., Saran at Chapra in connection with N.D.P.S. Case No. 17 of 2021 arising out of Rail, Chapra P.S. Case No. 47 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 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 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 the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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