

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39581 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- KASIMBAZAR District- Munger

SANTOSH KUMAR Son of Shiv Kumar Yadav Resident of village-
Hasanganj, P.s.- Kasim Bazar, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-10-2022

No one appears on call. Learned APP is present.

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 Kasim Bazar P.S. Case No. 54 of 2022 for the offences
under Sections 20/22 of the N.D.P.S. Act.

As per the prosecution story, upon information that
the petitioner is keeping '*ganja*' in his house, the same was
raided and 4 kg 500gms of '*ganja*' was recovered in the presence
of the petitioner. Further as he did not had any papers, the same
were seized, seizure list prepared, F.I.R lodged and he was taken
into custody.

As per the averment made in the bail application, the



petitioner do not have criminal antecedent and is in custody since 16.03.2022 (as stated in the paragraph-19 of the bail application).

Taking into account the fact that the recovery is of 4kg 500gms '*ganja*', he do not have any criminal antecedent, is in custody since 16.03.2022 and charge sheet stands submitted, this Court is inclined to grant him privilege of bail. If however, it is found that he do have criminal antecedent, the 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 Sessions Judge, Munger in connection with Kasim Bazar, P.S. Case No. 54 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 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)

Jagdish/neha/-

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