

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52414 of 2021

Arising Out of PS. Case No.-984 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

RAJIV RANJAN SON OF RAMESH KUMAR R/O VILLAGE-
BISAMBHARPATTI, P.S.- HATHAURI, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Adv.
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-01-2022 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 the learned A.P.P. for the State.

The petitioner seeks bail in connection with Ahiyapur P.S. Case No. 984 of 2020 / N.D.P.S. Case No. 145 of 2020 registered for the offence under Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 20 and 22 of the N.D.P.S. Act.

One country made pistol loaded with a live cartridge and magazine, a smart phone of MI company and 1/2 Kg. Ganja wrapped in plastic have been recovered from



the possession of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. In fact, nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from the box of tempo fixed in front of driver seat and the petitioner being a passenger of the said tempo has been taken into custody on suspicion only. The petitioner has no concern with the alleged recovery. Moreover, the police after investigation has submitted charge-sheet against the petitioner. The petitioner is rotting in judicial custody since 29.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 8th Additional Sessions Judge- cum- Special Judge, N.D.P.S., Muzaffarpur in connection with Ahiyapur P.S. Case No. 984 of 2020/ N.D.P.S. Case No. 145 of 2020 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 canceled 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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