

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59940 of 2021

Arising Out of PS. Case No.-297 Year-2021 Thana- RAJIVNAGAR District- Patna

RAVINDRA KUMAR @ RAJA S/o SATYENDRA RAY R/o VILLAGE-
JABALPUR, P.S-DORIGANJ, DISTRICT-CHAPRA. AT PRESENTLY
RESIDING AT ROAD No.21, P.S-RAJIV NAGAR, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-04-2022 Heard learned counsel for the parties through video
conferencing in view of COVID -19.

The petitioner is in judicial custody in connection
with Special (N.D.P.S.) case arising out of Rajiv Nagar P.S.
Case No. 297 of 2021 for the offences under Sections 20(b) (ii)
(A) and 29 of the N.D.P.S. Act.

As per the informant, the police in course of vehicle
checking tried to stop Pulsar motorcycle coming from the
Patliputra side and three persons were riding it. As the
motorcycle slowed down, one of them got down from it but the
motorcycle thereafter sped away. The person who got down also
tried to escape but was caught and disclosed his name as Kalu
Kumar @ Jitendra Kumar. Upon search 2 K.G. 'ganja' was



recovered from him. He further disclosed the name of others including the petitioner herein, who were present in the motorcycle. Accordingly, the house of the petitioner was raided and the said motorcycle was recovered. It is in this way that the petitioner has come in the judicial net.

Learned counsel for the petitioner submits that he is in jail only because of the confessional statement of the accused from whose possession the '*ganja*' was recovered. Upon raid, the police seized that motorcycle from his house but beside that nothing incriminating has been recovered from his possession. He further submits that he does not have any criminal antecedent and he is in jail since 25.07.2021 (as explained in paragraph-23 of the bail application).

Taking into account the aforesaid facts, 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 Sessions Judge/Spl. Judge, Patna in connection with Special (NDPS) Case arising out of Rajiv Nagar P.S. Case No. 297 of 2021, subject to the following conditions.

(i) the learned Court below while granting bail to he petitioner will check his criminal antecedent;



(ii) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial Court itself;

(iv) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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