

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51396 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- SHIVSAGAR District- Rohtas

Jitendra Paswan Son Of Shri Mohan Paswan R/O Village- Moresaray, P.S.-
Shivsagar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 09-12-2022 The matter has been taken-up through video
conferencing

Heard learned counsel for the petitioner and
learned A.P.P for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 8, 20(b), ii,
(c), 22, 25 and 29 of the N.D.P.S. Act and Section 414 of the
Indian Penal Code.

Allegation is of recovery of 16 packets of *ganja*,
each containing 2 Kg, total 32 Kg and one Samsung Moblie
from the possession of accused persons.

Learned Counsel for the petitioner submits that the



petitioner is innocent has falsely been implicated in this case. It is submitted that the petitioner is the brother of co-accused, Munna Paswan, and on that basis he has been made accused in this case. It is further submitted that from the perusal of F.I.R., it is clear that the recovered *ganja* was the same which was carrying on the motorcycle by Munna Paswan and Bajrani Paswan, although, recovery was made from the roof of the ancestral house of the petitioner. It is further submitted that the petitioner has only one antecedent for offences punishable under Section 394 of the Indian Penal Code, in which he is on bail. Further, it is submitted that the petitioner is in custody since 15.04.2022 and charge-sheet has been submitted in the case.

Learned A.P.P for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Rohtas at Sasaram in connection with Shivsagar P.S. Case No. 300 of 2021, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

shanu/-

U		T	
---	--	---	--

