

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63390 of 2021**

Arising Out of PS. Case No.-581 Year-2021 Thana- NAGAR District- Vaishali

DEEPAK KUMAR Son of Satya Narayan Rai Resident of Village - Terasia,
P.S.- Ganga Bridge, District Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Narcotics Control Bureau Patna through its Intelligence Officer Union of India. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Usha Kumari Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER**

6 29-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Hajipur
Town P.S. Case No. 581 of 2021, registered for the offences
punishable under Sections 420, 414 and 34 of the Indian
Penal Code and 8(c), 20(b)(ii)(B), 23(b) and 29 of NDPS
Act.

As per allegation, about 12.485 Kg of *Ganja* was
recovered from a bag.

The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in



this case. He further submits that the alleged recovery is much below the commercial quantity. He also submits that the recovery is not made as per rules and nothing has been recovered from the conscious possession of the petitioner.

The petitioner has been languishing in jail since 24.07.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstance, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Sessions Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 581 of 2021, on the following conditions:



(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of



the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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