

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57602 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- NATWAR District- Rohtas

Rajendra Goswami Son of Late Banarashi Goswami Resident of Village -
Natwar Bazar, P.S.- Natwar, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-12-2022 This matter is heard through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Natwar P.S. Case No. 49 of 2022 (NDPS) for the offence
punishable under Sections 20 and 22 of the Narcotic Drugs and
Psychotropic Substances Act (NDPS).

The prosecution case, in brief, is that upon raid
altogether 13.142 kg of *ganja* (Marijuana) in six bundle was
recovered from the house of the petitioner. Accordingly the
seizure list was prepared in front of two independent witnesses.

Learned counsel appearing on behalf of the petitioner
submitted that the alleged seizure was affected in the house of
the petitioner in front of his wife Smt. Guriya Devi. Petitioner



was not present in his house when the seizure was affected, while his wife was arrested on the spot. He further submitted that wife of the petitioner has already been released on bail vide order dated 09.12.2022 passed in Cr. Misc No. 50580 of 2022. He further submitted that the petitioner is in custody since 27.04.2022 and has clean antecedent.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made against the petitioner, other co-accused, who is the wife of the petitioner has already been granted bail by a coordinate bench of this Court vide order dated 09.12.2022 passed in Cr. Misc No. 50580 of 2022 and there is no likelihood of trial being concluded in near future, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.1,00,000/- (Rupees One Lakh) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Rohtas at Sasaram in connection with Natwar P.S. Case No. 49 of 2022, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as to what has been stated in paragraph no. 3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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