

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67486 of 2022

Arising Out of PS. Case No.-412 Year-2021 Thana- AHYAPUR District- Muzaffarpur

RITESH KUMAR SINGH Son of Ram Sanyog Singh R/v- Chaturi Punas,
P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Y.C.Verma, Sr.Advocate
	:	Mr.Hari Kishore Thakur, Advocate
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 272,273 and 34 of IPC and Sections
30(a) and 36 of Bihar Prohibition and Excise Act and Sections
20/22 of N.D.P.S.Act.

Earlier the prayer for bail of the petitioner was refused
vider order dated 17.05.2022 passed in Cr. Misc. No.53009 of
2021 and thereafter petitioner filed Cr. Misc. No.41497 of 2022
for renewing his prayer for bail and the same was dismissed as
withdrawn on 10.08.2022.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in



the present case. Further submits that the petitioner was picked up by the police without any reason on 24.06.2021 and some narcotic article has been recovered from possession of the petitioner but it appears from the FIR that weightage of the narcotic is not mentioned in the seizure list and FIR also. Learned counsel for the petitioner further submits that the FSL report confirms that the seized contraband is smack but the same is less than the commercial quantity and the similarly situated several co-accused persons have already been allowed bail by different Coordinate Benches of this Hon'ble Court vide orders at Annexure-3 series to this bail petition and petitioner is in custody since 27.06.2021.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ahiyapur P.S. Case No.412 of 2021 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 cancelled 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.

(3) 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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