

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30664 of 2023

Arising Out of PS. Case No.-370 Year-2022 Thana- KATIHAR GRP CASE District- Katihar

Ramakant Rai, aged about 38 years Male, Son of Shiv Kumar Ray, Resident of Village- Kolha Rampur P.S. - Barahra District- Bhojpur (Arrah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with N.D.P.S.
Case No. 51 of 2022 arising out of Katihar (Rail) P.S. Case No.
370 of 2022 dated 27.12.2022 registered for the offence
punishable under Sections 8/ 20(b) (ii) (B) of the N.D.P.S. Act,
1985 and Sections 137 and 147 of the R.I. Act, 1989.

As per the prosecution case, there is recovery of 5.1
Kg of *Ganja* from the possession of the petitioner.

Learned counsel for the petitioner submits that there is
nothing incriminating articles recovered from the conscious
possession of the petitioner rather the same was recovered from
the *lawarish jacket* and the petitioner has been falsely
implicated in this case on the basis of suspicion. There is no



signature of any independent witness. Charge has already been framed in this case and the petitioner is in judicial custody since 27.12.2022, having no criminal antecedent.

Learned APP appearing for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case and submission of learned counsel for the parties, let the petitioner above named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Katihar in connection N.D.P.S. Case No. 51 of 2022 arising out of Katihar (Rail) P.S. Case No. 370 of 2022, subject to the following conditions:-

(i) 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.

(ii) In case of absence on two consecutive dates without sufficient reason or if the petitioner misuse the liberty or violate any of the conditions imposed upon him his bail bond will be liable to be cancelled by the Court concerned.

(iii) If the petitioner tampers with the evidence or the witness, in that case the prosecution will be at liberty to move



for cancellation of bail.

(Sunil Dutta Mishra, J)

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