

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33502 of 2022

Arising Out of PS. Case No.-266 Year-2021 Thana- SONBERSA District- Sitamarhi

=====

Ram Prawesh Sah Son Of Satnarayan Sah R/O Village- Madanpur, Ward No.-
2, P.S.- Malangwa, District- Sarlahi, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

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

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 03-01-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Sonbarsa P.S. Case No.266 of 2021, registered for the

offences punishable under Sections 21(c)/23(c) of the

N.D.P.S. Act

As per allegation, prohibited medicines (in huge

quantity) has been recovered from the petitioner near Nepal

Border at pillar no. 325/1.

Ld. counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in this

case. He further submits that the alleged cough syrup has



not been recovered from the personal possession of the petitioner and the case against the petitioner has been lodged only on the basis of suspicion. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

It has further been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents. He also submits that the petitioner has been languishing in jail since 21.09.2021.

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.

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

Considering the aforesaid facts and circumstances, 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 Ld. Court of Sessions Judge, Sitamarhi in



connection with Sonbarsa P.S. Case No.266 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, Ld. 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, Ld. court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

Ld. 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)

chandan/-

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

