

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45009 of 2022**

Arising Out of PS. Case No.-307 Year-2022 Thana- BETTIAH CITY District- West  
Champaran

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Ramrup Raut @ Rambhu Raut Son Of Late Jay Nath Raut Resident Of  
Village- Jagjiwan Nagar, Ward No. 27, P.S.- Nagar, Bettiah, District- West  
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India New Delhi

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Pandey

Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

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

4      15-02-2023                      Heard Ld. counsel for the petitioner and Ld. APP  
  
for the State.

The petitioner seeks bail in connection with Bettiah  
  
Town P.S. Case No. 307 of 2022, registered for the offences  
  
punishable under Sections 21(B) and 23(B) of the NDPS  
  
Act.

As per allegation, 19 gm. of smack and 431 gm. of  
  
*ganja* were recovered from a polythene bag.

Ld. counsel for the petitioner submits that the  
  
petitioner is innocent and has falsely been implicated in this  
  
case. He further submits that recovered amount of the



contraband is much less than the commercial quantity and there is no proper compliance of Section 50 of NDPS Act in regard to recovery. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 28.04.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one other case.

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

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

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged 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. Sessions



Judge cum Special Judge, N.D.P.S., West Champaran at Bettiah in connection with Bettiah Town P.S. Case No. 307 of 2022, 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 criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents 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.

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)**

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