

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54008 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- PANAPUR District- Saran

SANJAY SINGH @ BHUTKUN SINGH SON OF PRABHANSH SINGH@
PARAMHANS SINGH RESIDENT OF VILLAGE- TOTAHA JAGATPUR,
PS- PANAPUR, DISTT- SARAN

... .. Petitioner/s

Versus

1. THE UNION OF INDIA THROUGH THE SECRETARY MINISTRY OF HOME, NARCOTIC DRUGS CONTROL BUREAU, NEW DELHI NEW DELHI
2. THE STATE OF BIHAR THROUGH THE DEPT. OF NARCOTIC DRUGS CONTROL BUREAU, PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur, Advocate
For the State	:	Mr. Anant Kumar, APP
For the U.O.I.	:	Mr. Awashesh Kumar Pandey, Sr. C.G.C. Mr. Ratnesh Kumar, C.G.C. Mr. Lokesh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-08-2023 Heard the parties.

The petitioner is an accused in connection with Panapur P.S. Case No. 139 of 2023 registered for the offences under sections 8, 20(b)(ii)(b) of the N.D.P.S. Act lodged on 22.06.2023 by the informant, Vikash Kumar Singh.

As per the prosecution story, the police in course of the vehicle checking intercepted and recovered 2.140 'ganja' from the accused persons, they were arrested, FIR lodged.

It is the submission on behalf of the petitioner that so far as this case is concerned, the recovery/seizure is 2.140 kg of



‘ganja’ and the similar placed co-accused, Ajay Nat has since been granted bail in Cr. Misc. No. 51550 of 2023 on 17.08.2023.

Let the same be kept on record.

Learned Counsel appearing for Union Of India has opposed the prayer for bail stating that there is recovery of ‘ganja’. However, he concedes that the recovery/seizure is below the commercial quantity.

Taking into account the submissions put forward by the learned Counsel for the petitioner, the quantity so recovered, is in custody since 23.06.2023 (as stated in paragraph 11 of the bail application), similar placed co-accused Ajay Nat has since been granted bail, as stated above, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Special Judge, NDPS, Saran at Chapra in connection with Panapur P.S. Case No. 139 of 2023, subject to the following conditions-:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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