

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53483 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- TETERHAT District- Lakhisarai

RISHAB KUMAR @ RISHABH SON OF RAJBALLI SINGH @ RAJVALI
SINGH RESIDENT OF VILLAGE- CHANDWARA, POLICE STATION-
JAMUI, DISTRICT- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-08-2023 Heard the parties.

The petitioner is in custody in connection with Tetarhat P.S. Case No. 40 of 2023 for the offence under sections 8, 20(b) (c) (ii)/25 & 29 of NDPS Act lodged on 30.03.2023 by the informant, Anil Kumar.

As per the prosecution story, the Police during patrolling intercepted a vehicle and recovered 15 kg of 'Ganza' and Rs. 37,500/- cash, the petitioner was arrested and the FIR.

Learned counsel for the petitioner submits that he has been implicated in this case only because he has criminal antecedent. In any case, it is below the commercial quantity for which he has already suffered by being in custody since 31.03.2023 (as stated in paragraph 6 of the petition).



Learned APP opposes the prayer for bail stating that huge quantity of 'Ganza' has been recovered/seized.

Considering the fact that the recovery/seizure is below the commercial quantity and is in custody since 31.03.2023, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge, Lakhisarai, in connection with Tetarhat P.S. Case No. 40 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/her 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 fortnight for six months to mark his 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 the 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 his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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