

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53774 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- VALMIKINAGAR District- West
Champaran

=====

MD.GOLU RAIEN SON OF MD. KHALID RESIDENT OF VILLAGE-
MASTAN TOLA, WARD NO.22, PS- BAGAHA, DISTT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023

Heard the parties.

The petitioner is in custody since 31.03.2023 in connection with Valmikinagar P.S. Case No. 40 of 2023 for the offence punishable under Sections 20(b), ii(B), 29 of the N.D.P.S. Act, lodged on 30.03.2023 by the informant, Angrez Singh.

As per the prosecution story, the police during patrolling, intercepted and recovered/seized 1.750 Kg. ‘ganja’ from this petitioner. Accordingly, the FIR.

It is the case of the petitioner that the police only to implicate him, because he has criminal antecedent has put forward this recovery of ‘ganja’ which in any case is below the commercial quantity.



Learned APP opposes the prayer for bail.

Taking into account the submissions put forward by the learned counsel for the petitioner as also that he is in custody since 31.03.2023 (as stated in paragraph-9 of the petition) and the recovery is below the commercial quantity, 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) with two sureties of like amount each to the satisfaction of learned Session Judge, N.D.P.S. in connection with Valmikinagar 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 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 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.

Jagdish/-

(Rajiv Roy, J)

U			
---	--	--	--

