

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56634 of 2023

Arising Out of PS. Case No.-209 Year-2022 Thana- KURSAILA District- Katihar

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Babloo Kumar Ram @ Babloo Ram @ Bablu Kumar Son Of Late Virendra Ram @ Late Birendra Mochi Resident Of Village - Simraha, P.S. - Tikapatti, District – Purnea.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Kursela P.S. Case No.209 of 2022 registered on 25.10.2022 lodged under Sections 20 and 22 of the Narcotic Drugs and Psychotropic Substances Act.

3. As per the prosecution case, F.I.R. has been lodged against 7 named accused persons including the petitioner. The total recovery of 42.3 kg of *Ganja* has been made in the present case. It has been alleged that the said *Ganja* was recovered from the vehicle of the petitioner, who alleged to be sitting in the said vehicle.

4. Counsel further submits that petitioner is innocent

and has committed no offence. He submits that two similarly situated co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 19.07.2023 in Cr. Misc. No.22787 of 2023 and vide order dated 07.08.2023 in Cr. Misc. No.16047 of 2023. He further submits that petitioner is in custody since 26.10.2022 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-III-cum-Special Judge, NDPS Act, Katihar, in connection with Kursela P.S. Case No.209 of 2022, 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ashishsingh/-

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