

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57728 of 2023

Arising Out of PS. Case No.-232 Year-2023 Thana- BUNİYAD GANJ District- Gaya

SADAN KUMAR Son of Uday Yadav VILLAGE KUKIYASIN PS
BUNİYADGANJ DISTRICT GAYA

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Manisha Prakash, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2023 Heard Ms. Manisha Prakash, learned counsel for the

petitioner and Mr. Aditya Narayan Singh-1, learned APP for the

State.

The petitioner is in judicial custody in connection
with Buniyadganj P.S. Case No. 232 of 2023 for the offence
punishable under Sections 20(b) (2a) of NDPS Act 18.7.2023
lodged on by the informant, Varun Kumar.

As per the prosecution story, the allegation is that the
police conducted raid in the house of the petitioner and
recovered 400 grams of *ganja* inside the bag and arrested the
petitioner. Accordingly, the FIR.

It is the case of the petitioner that the same has not
been recovered from his conscious possession rather from a
joint house and in any case the recovery is much below the



smaller quantity, he is a student just passed intermediate exam in first division and the police has implicated him to blacken his career.

Learned APP opposes the prayer for bail.

Taking into account the submission put forward by the learned counsel for the petitioner as also the fact on record, he is in custody since 18.7.2023 (para-1 of the petition) and do not have criminal antecedent, 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 Court of Special Judge, NDPS Act, Gaya, in connection with Buniyadganj P.S. Case No. 232 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 fortnight for next 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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