

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60012 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- JOGBANI District- Araria

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RAJA SAH @ RAVA KUMAR SON OF UMESH SAH RESIDENT OF
VILLAGE - TIKULIYA, P.S. - JOGBANI, DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-09-2023

Heard the parties.

2. The petitioner is in custody in connection with Special Case No. 04/2023 arising out of Jogbani P.S. Case No. 19 of 2023 for the offence under sections 21/22 of NDPS Act lodged on 22.01.2023 by the informant, Arjun Singh.

3. As per the prosecution story, the allegation is that in course of vehicle checking, a motorcycle was intercepted and recovered/seized 840 piece of SPAS TRANCON PLUS CAPSUL and 1800 piece of DIAZEPAM INJECTION. Accordingly the FIR.

4. Learned counsel for the petitioner submits that the motorcycle belongs to him, is a student, for the misadventure, has already suffered by being in custody since 02.04.2023 (as stated in paragraph 20 of the petition) and the recovered



quantity is around 3.6 gm which is below the commercial quantity of 500 gm.

5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forward by the learned counsel for the petitioner, the recovered DIAZEPAM is 3.6 gm which is below the commercial quantity, is in custody since 02.04.2023, FIR lodged and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 Court of Sessions cum the Special Judge NDPS Act, Araria, in connection with Special Case No. 04/2023 arising out of Jogbani P.S. Case No. 19 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.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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