

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73373 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

RIKORD SINGH @ RIKARD SINGH @ RIKARDA NAYAK Son of Late
Suajan Singh R/v- Antaraba, P.S.- Orava, District- Gajapati (Odisha)
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
27.06.2022 in connection with Nawadah (EX) P.S. Case No.
162 of 2022 PTN 1935 of 2022, F.I.R. dated 27.06.2022
registered for the offence punishable under Sections 8,20(ii)(b)
of the NDPS Act.

The case relates to recovery of altogether 13 Kg of
Ganja.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been
implicated in the present case. Further submits that altogether
13 Kg of Ganja has been recovered from possession of the
petitioner and other co-accused persons. Further submits that it
appears from the seizure list that 03 Kg of Ganja has been



recovered from possession of the petitioner and rest of the Ganja has been recovered from other co-accused persons. Further submits that there is non-compliance of Section 100 of Cr.P.C. and the recovered contraband is less than the commercial quantity so there is no embargo under Section 37 of the N.D.P.S.Act to enlarge the petitioner on bail and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 27.06.2022.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the F.S.L.Report confirms that the recovered contraband is Ganja and the result of the examination is that “The dry, pressed, greenish brown, flowering and fruiting vegetative like substance contained in the plastic dabba as described in the report was found to be GANJA containing Tetra Hydro Cannabinol (T.H.C.) as their chief intoxicating ingredient. Ganja is the flowering and fruiting tops of the female plant of Cannabis sativa.”

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional



District Judge, Nawadah in connection with Nawadah (EX) P.S.
Case No. 162 of 2022 PTN 1935 of 2022, with the following
conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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