

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21416 of 2024

Arising Out of PS. Case No.-108 Year-2022 Thana- ISMAILPUR District- Bhagalpur

VIKASH MANDAL S/O SITARAM MANDAL R/O NAWADI BANDH,
PRASHANTPUR, P.S- KATIHAR, DISTT.- KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate
		Mr. Roshan Kumar, Advocate
For the Opposite Party/s	:	Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-04-2024 Heard Mr. Roshan Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Ismailpur P.S. Case No. 108 of 2022 for the offence under Section 120B of the I.P.C and under Sections 8(c), 20(b)(ii)(b), 25 and 29 of the NDPS Act lodged on 08.09.2022 by the informant, Mani Paswan.

3. As per the prosecution story, the allegation is that the police team saw a smoke coming out from a car and tried to extinguish it. However, on the sight of police, the occupants tried to escape and upon search 7 kg *ganja* recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the



petitioner is the owner of the car and according to him, the driver Subodh Kumar had taken it away and he did not know that 7 kg *ganja* is there in the car and he do not have any criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid fact as also that recovery is of 7 kg of *ganja* and he do not have any criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-I, Bhagalpur, in connection with Ismailpur P.S. Case No. 108 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 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.

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

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

