

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26307 of 2024

Arising Out of PS. Case No.-240 Year-2021 Thana- BARHIYA District- Lakhisarai

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Roushan Singh @ Rushan Singh @ Raushan Singh S/o- Lalan Singh R/o-
Village- Jaitpur, PS- Barahiya, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Barahiya P.S. Case No. 240 of 2021 dated 13.09.2021 registered for the offences punishable u/ss 8/20(b)(ii)(c)/29 of the N.D.P.S. Act.

3. As per the prosecution case, on secret information, the police raided the house of the accused persons and recovered about 1100.590 kg of *ganja* like substance.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The name of the petitioner has sprung up in the



confessional statement of the co-accused Pintu Mahto. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The co-accused person has already been granted bail by this Bench vide order dated 24.05.2023 passed in Cr. Misc. No. 26184 of 2023. The petitioner has **eleven** other criminal antecedents out of eleven five are of similar nature as stated in para 3 of the bail petition. The petitioner is in custody since 28.01.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that seized ganja is of commercial quantity.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with N.D.P.S. Case No. 11 of 2021 arising out of Barahiya P.S. Case No. 240 of 2021 with further conditions:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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