

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36436 of 2024

Arising Out of PS. Case No.-266 Year-2021 Thana- BARHIYA District- Lakhisarai

Roshan Singh @ Raushan Singh son of Lalan Singh Village- Jaitpur Ps-
barahiya Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 20-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 8, 20(b)(c)(II), 25 and 29 of
the N.D.P.S. Act.

3. Earlier, prayer for regular bail of the petitioner was
rejected by a coordinate Bench of this Court vide order dated
22.08.2023 in Cr. Misc. No. 19492 of 2023.

4. The substance of allegation as set out in the FIR is
that the prosecution case related to recovery of total 549.570kg
incriminating Ganja from a Tractor bearing no. AS25DC/5023
which was kept in hidden condition below the vegetable sacks.

5. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that there is no independent witnesses made by



the police either on seizure list or as a witness during investigation. He submits that the charge has been framed against the petitioner on 11.09.2024. He further submits that petitioner has criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 06.09.2022.

6. Learned APP for the State opposes the prayer for bail.

7. Considering the facts and circumstances of the case and the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with N.D. P.S. Case No. 10 of 2022 arising out of Barahiya P.S. Case No. 266 of 2021, subject to the conditions:

(I) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two



consecutive dates his bail bonds shall be liable to be cancelled.

(IV) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(V) The petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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