

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39518 of 2024

Arising Out of PS. Case No.-297 Year-2022 Thana- JAKKANPUR District- Patna

Rohan Kumar @ Kalha, Male, aged about 18 years, son of Mohan Ranjit Prasad @ Ranjit Singh, R/O Mohalla- Purandarpur (tenant of house of daroga ji) P.S.- Jakkanpur Dist.- Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ramji Kumar, Advocate

For the Opposite Party : Mr. Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 15-07-2024 This matter has been listed under the heading 'For Orders (on office notes)'.

2. Perused the Memo No. 71/2024, Patna dated 12.06.2024 sent by the learned Exclusive Special Judge (N.D.P.S., Act), Court No. 1, Patna as well as Memo No. 1815/2024 dated 29.06.2024 sent by the Police Inspector-cum-Officer-in-charge, Jakkanpur Police Station, Patna, to this Court regarding the stage of the trial and criminal antecedent of the petitioner.

3. Heard learned counsel for the petitioner and learned A.P.P. for the State.

4. The petitioner seeks bail in connection with Special (N.D.P.S.) Case No. 119 of 2022, arising out of Jakkanpur P.S.



Case No. 297 of 2022 dated 10.06.2022 registered for the offences punishable under Sections 20(b)(ii)(B) of the N.D.P.S. Act.

5. As per the prosecution case, police apprehended the petitioner and the co-accused Aakash Kumar and on search, total 10 Gram brown sugar (smack) was recovered from their possession.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that after investigation, charge sheet has been submitted in the present case. It is further submitted that only 11 *pudias* i.e., 5.5 gram *brown sugar (smack)* was recovered from the possession of the petitioner which is less than commercial quantity. The petitioner has one criminal antecedent which is not of similar nature of offence as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 11.06.2022.

7. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

8. Considering the aforesaid facts and circumstances of the case as well as the period of custody of the petitioner, let the above named petitioner, 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 the learned Special N.D.P.S. and Court No. 1, Patna in connection with Special N.D.P.S. Case No. 119 of 2022, arising out of Jakkanpur P.S. Case No. 297 of 2022 with further condition:-

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.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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