

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50743 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- Bathnaha District- Araria

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Ranjeet Paswan @ Prince Victor @ Prince Bictor S/O Ganga Paswan R/O
Village- Pathardeva Jimrahi, Ward No.-2, Post- Sonapur, P.S.- Bathnaha,
Dist.T- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-07-2024 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Bathnaha P.S. Case No. 05 of 2024,
registered for the offence punishable under Sections 8, 20(b)(II)
(C) of the N.D.P.S. Act.

3. The police in course of patrolling apprehended co-
accused *Akashwati Devi*, who was carrying a sack. On search,
total 21 Kg *ganja* like substance was recovered. The
apprehended person disclosed that this contraband substance has
been given by the petitioner only in order to facilitate the
crossing of India-Nepal Border.

4. Learned Advocate for the petitioner contended that



from the FIR it is evident that the alleged recovery has been made from co-accused person and save and except the disclosure made by co-accused, there is no material suggesting the complicity of the petitioner in the present crime. It is next contended that the petitioner has neither any connection with the apprehended person nor with the alleged recovered *ganja* like substance. As the petitioner is the resident of the same village, on suspicion, his name has been implicated in this case. There is no material connecting the petitioner with the alleged recovery. Moreover, the investigation of the crime is complete and the charge-sheet has been submitted, but without any FSL report and, as such, continuation of the proceeding is also bad.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the co-accused was only used for the transportation of goods and the petitioner appears to be main accused.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the alleged recovery has been made from possession of co-accused and there is no cogent material suggesting the complicity of the petitioner in transportation of narcotic substance. The investigation of the crime is complete and the charge-sheet has



been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sessions cum the Special Judge, N.D.P.S. Act, Araria in connection with Bathnaha P.S. Case No. 05 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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