

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56743 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- KONCH District- Gaya

Raushan Kumar son of Ram Kishor Yadav Village- Nehora Tola, Pathak
Bigha Ps- Konch Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 26-10-2024 Heard learned Counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Konch P.S. Case No. 185 of 2024, registered for the alleged offences under Sections 8(C), 20(b)(ii)(A) and 25 of the N.D.P.S. Act.

3. As per prosecution case, during checking of vehicle, a person tried to flee away with his motorcycle, he was chased and apprehended. From the bag hanging from the handle of the motorcycle recovery of 1.80 kg of *ganja* was made.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The witnesses of seizure



list are official witnesses and no independent witness has been examined. The recovery of *ganja* is of 1.8 kg which is much less than the commercial quantity and just above the small quantity. The petitioner is in custody since 10.05.2024 and charge sheet has been submitted, the petitioner is having antecedent of one case.

5. The learned A.P.P. opposes the submission made on behalf of the petitioner and submits that the petitioner is having antecedent of similar nature under N.D.P.S. Act.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum-Special Judge N.D.P.S. Act, Gaya, in connection with Konch P.S. Case No. 185 of 2024, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on



each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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