

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56910 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- JOGBANI District- Araria

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Santosh Yadav S/o Late Lalu Yadav R/o vill - Tikuliya Basti (Indranagar),
ward no. 3, P.S. - Jogbani, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 25-09-2024 Heard Mr. Ramesh Kumar Singh, learned counsel
for the petitioner and the State.

2. The petitioner is in custody in connection with Jogbani P.S. Case No. 61 of 2024 for the offence punishable under sections 21(c) of Narcotics Drugs & Psychotropic Substance Act lodged on 18.03.2024 by the informant, Ramesh Singh Airi

3. As per the informant, during patrolling, on suspicion, the carry bag of the accused was checked and 25 bottles of 100ml eskuf syruf were recovered/seized. Accordingly, the FIR against the petitioner.

4. Learned counsel for the petitioner submits that it was being carried by other accused persons who threw the bag and escaped but he has been implicated. Further, it is under the



commercial quantity of 1kg as envisaged in NDPS Act.

5. Learned APP opposes the prayer for bail submitting that there is recovery of cough syrup to the tune of 25 bottles.

6. Though allegation is there, it is below the commercial quantity, the petitioner has remained in custody since 19.03.2024 (para 16 of the petition) and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions cum Special Judge NDPS Act, Araria in connection with Jogbani P.S. Case No. 61 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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