

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67809 of 2024

Arising Out of PS. Case No.-109 Year-2022 Thana- DAWATH District- Rohtas

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Rama Shanker Choudhary Son of Late Potan Choudhary Resident of Village
-Chorati, P.S- Dawath, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-10-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 20 & 22 of the N.D.P.S. Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that he received a secret information that accused
persons including the petitioner are selling ganja in their shop,
accordingly, the shop was raided and 4.150 kilograms of ganja
was recovered from the shop of the petitioner.

4. The learned counsel for the petitioner submits that
petitioner is in custody since 03.08.2024 and he came to be
implicated for the reason that it is alleged that ganja was
recovered from his shop, it is further submitted that the



petitioner is running the shop for nearly more than 20 years but he never came to be implicated in any such case. It is next submitted that for few years, the shop is being run by his son Om Prakash and the petitioner is staying in the village. It is next submitted that it may be a possibility that Om Prakash on account of greed was indulging in such an occurrence. It is also submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that Om Prakash was arrested from the shop and the petitioner was not present in the shop, which amply demonstrates that petitioner was not involved in the occurrence but being father of Om Prakash, he came to be implicated. The learned counsel submits that charge sheet has been submitted, charges have been framed and one witness has been examined. It is also submitted that the recovery of ganja is less than the commercial quantity. It is also submitted that petitioner will not abscond rather will co-operate in the trial to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of



Rs.25000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dawath P.S. Case No.109/2022, Trial No.2/2024.

7. However, if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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