

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69957 of 2024**

Arising Out of PS. Case No.-745 Year-2022 Thana- TURKAULIYA District- East  
Champaran

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Vikash Das @ Vikash Kumar S/o- Gabdu Das @ Uma Shankar Sah Village-  
Raghunathpur ward No-5, Ps-Raghunathpur, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar, Advocate  
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      05-10-2024                      Heard the parties.

2. The petitioner is in custody in connection with  
N.D.P.S Case No. 64 of 2022 arising out of Turkauliya  
(Raghunathpura) P.S. Case No. 745 of 2022 for the offence  
punishable under sections 8, 20, 22 of the NDPS Act lodged on  
03.08.2022 by the informant, Rakesh Kumar Singh.

3. As per the prosecution story, the informant alleged  
that upon secret information, the Police searched near the  
temple and recovered/seized 450 gram *ganja*. The chowkidar  
gave the name of the petitioner as the person who escaped.  
Accordingly, the FIR.

4. Learned counsel for the petitioner submits that  
admittedly, the recovery is of 450 gram *ganja* which is below



the commercial quantity, he do not have any criminal antecedent and is in custody since 22.06.2024 (paragraph no. 8 of the petition).

5. Learned APP, Mr. Bharat Bhushan has pointed out that the petitioner went to the judicial custody only after two years.

6. Though the petitioner has delayed in coming to judicial custody, the fact remains that the recovery is below the commercial one, he do not have any criminal antecedent and is in custody since 22.06.2024, 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 Judge/Special Judge, East Champaran, Motihari, in connection with N.D.P.S Case No. 64 of 2022 arising out of Turkauliya (Raghunathpura) P.S. Case No. 745 of 2022 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)**

Adnan/-

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