

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76802 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- NADI P.S. District- Patna

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Anand Kumar S/O Late Muni Lal Rai R/O Village- Mirampur, PS- Raghampur,
Distt-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-10-2024 Heard Mr. Dharendra Kumar Sinha, learned counsel
for the petitioner and the State.

2. The petitioner is in custody in connection with Nadi
P.S. Case No. 222 of 2024 for the offence punishable under
sections 8/20 (b) (ii) (b) of the NDPS Act lodged on 16.07.2024
by the informant, Kaushal Kumar.

3. As per the prosecution story, the informant alleged
that near Jethuli Petrol Pump, intercepted a Bullet motorcycle
and recovered/seized 4 kg 700 gms *ganja*. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he
has no criminal antecedent and Police with personal grudge,
implicated him and put forward this seizure theory. In any case,
the same is below the commercial quantity of twenty kilograms
and is in custody since 16.07.2024 (paragraph-10 of the



petition).

5. Learned APP opposes the prayer for bail submitting that upon interception, the recovery/seizure has been made.

6. Considering the submissions of the parties as also the fact that he do not have criminal antecedent, the alleged recovery is below the commercial quantity, FIR lodged and he will be facing the trial, 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 (NDPS), Patna, in connection with Nadi P.S. Case No. 222 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 one year 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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