

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76989 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- GALGALIYA District- Kishanganj

Ram Kumar Mabolimbo S/o Harkajang Mabolimbo @ Harakjang Mobolimbo
R/o Village- Budha Santi, P.S.- Budha Santi, District- Jhapa (Country- Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Galgalia P.S. Case No. 62 of 2024 for the offence punishable under sections 8(c), 21(b) of the N.D.P.S. Act lodged on 03.08.2024 by the informant, Suchita Kumari.

3. As per the prosecution story, the informant alleged that upon information, it intercepted the vehicle and in course whereof, a motorcycle was found coming. Upon search, altogether 33 gms of brown sugar recovered/seized and the accused apprehended.

4. Learned counsel for the petitioner submits that though the motorcycle belongs to him, the presence of the brown sugar has been planted by the Police to implicate him, he is appearing for the examination, having no criminal antecedent



and is in custody since 04.08.2024 (paragraph-17 of the petition).

5. Learned APP opposes the prayer for bail submitting that it has been recovered from his conscious possession. However, he submits that the commercial quantity is up to 250 gms.

6. Taking into account the submissions put forwarded by the parties as also the fact that the petitioner do not have any criminal antecedent, the commercial quantity is 250 gms and he shall be diligently appearing in trial, as undertaken, 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-cum-Special Judge, (NDPS Act), Kishanganj, in connection with Galgalia P.S. Case No. 62 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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