

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80852 of 2024

Arising Out of PS. Case No.-360 Year-2024 Thana- SUPAUL District- Supaul

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Raja Kumar Son of Manoj Kumar Raut @ Manoj Raut Resident of Mohalla-
Nagar Parisad, Ward no 17, PS -Supaul, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2024 Heard Mr. Pramod Mishra, learned counsel for the

petitioner and the State.

2. The petitioner is in judicial custody in connection with N.D.P.S. Case No. 48/24 arising out of Supaul P.S. Case No. 360 of 2024 for the offence punishable under Sections 8(C) , 21(B) of NDPS Act lodged on 08.06.2024 by the informant, Anil Kumar Sah.

3. As per the prosecution story, the Police during patrolling, intercepted some accused persons and the allegation is from Md. Jiyaul and recovered/seized 12.07 grams of smack which led to the FIR and arrest of the accused persons.

4. Learned counsel for the petitioner submits that only because of criminal antecedent (he has brought on record by way of supplementary affidavit), has been implicated.



Admittedly, the recovery/seizure is from Md. Jiyaul and in any case, it is below the commercial quantity.

5. Learned APP opposes the prayer.

6. Considering the aforesaid submission put forward by the parties as also the fact the the recovery/seizure is from Md. Jiyaul and in any case, it is below with commercial quantity, he is in custody since 08.06.2024 (para-21 of the petition), 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) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-V, Supaul, in connection with N.D.P.S. Case No. 48/24 arising out of Supaul P.S. Case No. 360 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 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 month for next 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)

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