

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73785 of 2024

Arising Out of PS. Case No.-56 Year-2024 Thana- KAJRAILI District- Bhagalpur

Gaurav Kumar Sah S/o- Ranjan Sah Resident of Village- Khira Police
Station- Amarpur, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Sweety Sinha, Adv.
Mr. Dr. Manoj Kumar, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-10-2024 Heard Mrs. Sweety Sinha, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Kajraili P.S. Case No. 56 of 2024 for the offence punishable
under sections 20(b)(II)(C), 22 of the Narcotic Drugs and
Psychotropic substance Act lodged on 25.06.2024 by the
informant, Chanvir Yadav.

3. As per the prosecution story, the informant alleged
that upon information, a tempo was intercepted. This petitioner
apprehended and there is recovery/seizure of 24 gram of heroin
besides mobile and cash. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he
being the passenger, was dragged in the case despite the fact that



he do not have criminal antecedent. Further, the recovery/seizure is 24 gram of heroin which is below the commercial quantity of 250 gram and the last submission is that he is in custody since 25.06.2024 (para 22 of the petition).

5. Learned APP opposes the prayer for bail submitting that the recovery/seizure is from the tempo.

6. Taking into account the submissions put forward by the parties as also the quantity that has been recovered, he is in custody since 26.06.2024 and he do not have criminal antecedent, 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, Bhagalpur, in connection with Kajraili P.S. Case No. 56 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)

Vijay Singh/-

U			
---	--	--	--

