

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78148 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- BHITAHA District- West Champaran

Krishna Ram @ Ravinandan Ram S/O Prwesh Ram @ Ram Prwesh Ram
Resident of village -Haradi Nadawa, P.S- Chauttrwa, District -West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Advocate

For the Opposite Party/s : Mr .Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-11-2024 Heard the parties.

2. The petitioner is in custody in connection with Bhitaha P.S. Case No. 75 of 2024 for the offence punishable under sections 8 and 20(B)IIB of the NDPS Act lodged on 01.07.2024 by the informant, Rakesh Kumar.

3. As per the prosecution story, the Police during patrolling, found a person in suspicious condition and upon apprehending him, there is recovery/seizure of 7 kg ganja. This led to the FIR.

4. Learned counsel for the petitioner submits that in complete violation of the different sections of the Cr.P.C., the alleged recovery/seizure has been shown. Further, the recovery is 7 kg which is below the commercial quantity, he do not have



any criminal antecedent and is in custody since 01.07.2024 (paragraph-21 of the petition).

5. Learned APP opposes the prayer for bail but concede that it is below the commercial quantity.

6. Considering the submissions as also the fact that the petitioner do not have any criminal antecedent, is in custody since 01.07.2024 and recovery/seizure is below the commercial quantity, 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 District and Session Judge, Bettiah, West Champaran, in connection with Bhitaha P.S. Case No. 75 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/-

U		T	
---	--	---	--

