

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79545 of 2024

Arising Out of PS. Case No.-800 Year-2024 Thana- Excise P.S. District- Patna

Dharmendra Kumar Son of Dinesh Prasad @ Dinesh Singh Resident of
Village- Kachhi Dargah, P.S.- Nadi, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.
Ms. Bharti Rai, Adv.
Mr. Dilshad Alam, Adv.
For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-11-2024 Heard Mr. Ashok Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection
with Excise Patna P.S. Case No. 800 of 2024 (Special NDPS
Case No. 106/2024) for the offences punishable under Sections
20(b) of NDPS Act, lodged on 09.04.2024 by the informant,
Vinod Kumar Wishwakarma.

3. As per the prosecution story, the informant alleged
that during the patrolling at Fatuha Railway Station when a train
stopped, a person was found holding a bag, intercepted and
there is recovery/seizure of 6 Kilograms of *Ganja* which led to
the FIR, arrest.

4. Learned counsel for the petitioner submits that the



police implicated him, resulted into his custody since 09.04.2024 (para-10 of the petition). He has no criminal antecedent and in any case the recovery/seizure is below the commercial quantity.

5. Learned APP opposes the prayer but concedes that the recovery/seizure is below the commercial quantity.

6. Considering the submissions put forward by the parties as also the fact that he has remained in custody for more than six months, has no criminal antecedent and there is recovery/seizure of *Ganja* which is below the commercial quantity, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, 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 Exclusive Special Judge, NDPS Court No. 02, Patna in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member 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)

perwez

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

