

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83525 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- SASARAM RAIL P.S. District- Gaya

Rajesh Kumar Soni, Son Of Late Ram Bachan Soni @ Late Ram Bachan Seth, R/O Mohalla- Tar Bangla, Ward No.-08, Dehri-On-Sone, P.S.- Dehri, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Veer, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Rail Sasaram (Dehri) P.S. Case No. 35/2023 lodged on 24.02.2023 under Sections 22(b) of the NDPS Act.

3. As per the prosecution case, the FIR has been lodged against the present petitioner who was apprehended by the police from the place of occurrence and from his possession, 15 tablets of Lorazepam Tablet (Ativan) with wrapper and 10 pieces pink coloured tablet without wrapper along with one blade and cash amount of Rs.200/- were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. On earlier occasion, the case diary including the FSL report has been



called for. The FSL report indicates that quantity of NDPS material in the alleged contraband is 0.0690 gram. Counsel further submits that the quantity shall be in between the small and commercial quantity as the smaller quantity is 1 gram. The petitioner is accused in three more criminal cases, but in all the cases, he has been granted bail. The petitioner is in custody since 26.02.2023 and the chargesheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after six months of the framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, III, Gaya, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

7. However, the trial Court is directed to conclude the trial at the earliest.

(Dr. Anshuman, J)

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