

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81634 of 2024

Arising Out of PS. Case No.-147 Year-2024 Thana- BHAGALPUR RAIL P.S. District-
Bhagalpur

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Rupan Sutradhar S/o Atindra Sutradhar Resident Of Ward No 30, Pratap
Nagar, Near Laskar Para, P.S- A D Nagar, Dist Agartala

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-11-2024 Heard Mr. Raushan Kumar, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned App for the

State.

2. The petitioner is in custody in connection with
Bhagalpur Rail P.S. Case No. 147 of 2024 for the offence under
Sections 8, 20(b)(ii)B of the N.D.P.S. Act lodged on 04.09.2024
by the informant, Shiv Shankar Singh.

3. As per the prosecution story, the informant alleged
that during patrolling at Bhagalpur Railway Station, when the
Anand Tezas Rajdhani Express had arrived, this petitioner was
found moving with a back colour bag and upon search, 5Kg
ganja in two packets were recovered/seized which led to the
F.I.R.



4. Learned counsel for the petitioner submits that he has absolutely no concern with the alleged recovery, was moving on the platform but the bag lying there was assigned to him, has remained in custody since 04.09.2024, having no criminal antecedent and any case the recovered/seized material is below the commercial quantity of 20Kg.

5. Though learned APP for the State opposes the prayer for bail, concedes that it is below the commercial quantity.

6. Taking into account the aforesaid submissions as also the fact that he do not have criminal antecedent and the quantity recovered/sized is below the commercial quantity, in that background, 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 Sessions Judge, Bhagalpur in connection with Bhagalpur Rail P.S. Case No. 147 of 2024 subject to the following conditions:

- (i) one of the bailor should be native of Bihar 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 the 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 next six months 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 bail bond.

(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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