

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83243 of 2024

Arising Out of PS. Case No.-119 Year-2024 Thana- KANHAULI District- Sitamarhi

Vikindar Raut @ Bikinder Kumar S/O Late Jayakaran Raut Resident of
village- Chilra Ward no 2, Sonbarsa. PS- Sonbarsa, District- Sitamarahi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2024 Heard Mr. Ayush Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Kanhauli P.S. Case No. 119 of 2024 for the offence punishable
under section Section 21(c) of the NDPS Act lodged on
28.08.2024 by the informant, Sentu Kumar.

3. As per the prosecution story, the Police tried to
intercept a person who threw the bag but was apprehended and
from the bag, there is recovery/seizure of 10 liters of Codedyl-T
cough syrup. This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that the
sack recovered from the ground has been attributed to him,
despite the fact that he do not have any criminal antecedent. He
is in custody since 28.08.2024 (paragraph-4 of the petition) and



in any case, the recovered/seized material is below the commercial quantity envisaged under N.D.P.S. Act.

5. Learned APP though opposes the prayer, concede that it is below the commercial quantity.

6. Taking into account the aforesaid facts as also that he is in custody since 28.08.2024 having no criminal antecedent, the recovered/seized material is below the commercial quantity and the charge-sheet stands submitted, 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) each with two sureties of like amount each to the satisfaction of learned Special Judge, Sitamarhi, in connection with Kanhauli P.S. Case No. 119 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 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 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	
---	--	---	--

