

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83741 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- Lalmatia District- Bhagalpur

Ranjan Kumar @ Ranjan Choudhary S/O Late Kailash Choudhary R/O
Village- Pasi Tola, P.S- Lalmatia, Distt- Bhagalpur Petitioner/s
Versus
The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Homa Yunus, Adv.
Mr.Syed Maslehuddin Ashraf, Adv.
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-12-2024 Heard Ms. Homa Yunus, learned counsel for the
petitioner and Mr. Chandra Sen Pd. Singh, learned APP.

2. The petitioner is in judicial custody in connection with Lalmatia P.S. Case No. 79 of 2024 for the offences punishable under Sections 21/22 of N.D.P.S Act, lodged on 14.10.2024 by the informant, Vivek Kumar.

3. As per the prosecution story, the informant upon secret information apprehended the petitioner and there is recovery of 5.10 grams of Brown Sugar like substance which led to the FIR.

4. The case of the petitioner is that only because of his criminal antecedent, he has been taken into custody, he is in jail since 15.10.2024 (para-4 of the petition). In any case, seized item is below the commercial quantity.

5. Learned APP opposed the prayer for bail



submitting that the small quantity is 05 Grams though he concedes that it is below the commercial quantity.

6. Considering the submissions put forward by the parties as also the fact that the quantity seized is below the commercial quantity, is in jail since 15.10.2024, FIR lodged, will be facing the trial, 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 Sessions Judge, Bhagalpur in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member/relative 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 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.

8. This Court would like to put on record its word of
appreciation for Ms. Homa Yunus, learned counsel for the
petitioner for the proper assistance rendered in the matter.

(Rajiv Roy, J)

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