

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84081 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- JALALGARH District- Purnia

Ranjit Sharma S/O Bishu Sharma Resident of Chack, P.S- Jalalgarh, District-
Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv.
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-12-2024 Heard Mr. Praveen Kumar Agrawal, learned counsel
for the petitioner and the learned APP.

2. The petitioner is in judicial custody in connection with Jalalgarh P.S. Case No. 160 of 2024 for the offences punishable under Sections 8(C) & 21(b) of N.D.P.S Act, lodged on 07.10.2024 by the informant, Sarfaraz Alam.

3. As per the prosecution story, the informant alleged that on information about selling of smack, the said place was raided and from one Subhash Yadav, there is recovery/seizure of 9.58 grams of smack while from the petitioner it is 3.80 grams smack, which led to the FIR.

4. The case of the petitioner is that he was at the place of Subhash Yadav, he had no knowledge about the presence of smack, the police has attributed the same to him, has no criminal antecedent, in any case, it is below the



commercial quantity.

5. Learned APP opposed the prayer though 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 08.10.2024 (para-4 of the petition) having no criminal antecedent, 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 Special Judge, (NDPS Act), Purnea 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 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 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)

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