

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84101 of 2024**

Arising Out of PS. Case No.-279 Year-2024 Thana- POTHIYA District- Kishanganj

Firoz Ansari @ Firoj Ansaro Son of Yasin Ansari R/O Village- Pothia Bazar,
P.S- Pothia, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Pothia P.S. Case No. 279 of 2024 for the offence punishable under sections 20(b), (ii), (A) of the N.D.P.S. Act lodged on 28.09.2024 by the informant, Pradeep Kumar.

3. As per the prosecution story, the informant alleged that the Police while posted at Bahadurganj, found a person trying to escape. He was apprehended and there is recovery/seizure of 250 grams *ganja* which led to his arrest followed by the FIR.

4. Learned counsel for the petitioner submits that he was roaming around the place and the Police implicated him. He has absolutely no criminal antecedent and is in custody since 29.09.2024 (paragraph-4 of the petition). Further, the seized



ganja is much below the commercial quantity.

5. Learned APP opposes the prayer for bail submitting that the Police apprehend him from the spot with *ganja*.

6. Considering the submissions put forwarded by the parties as also that the petitioner does not have any criminal antecedent, recovered/seized material is below the small quantity and remained in custody since 29.09.2024, 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 Sessions Judge-Cum-Special Judge (N.D.P.S. Act), Kishanganj, in connection with Pothia P.S. Case No. 279 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/-

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