

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4301 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

=====

Jogendra Rai Dhramraj Rai Resident of Odaili P.S.- Sakaldiha District-
Chandauli (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-02-2024 Heard the parties.

2. The petitioner is an accused in connection with Bhagwanpur P.S. Case No. 298 of 2023 registered for the offences under sections 8(c), 20(b)(ii), B/29 of the NDPS Act lodged on 09.10.2023 by the informant, Shweta Kumari.

3. As per the prosecution story, upon secret information, a motorcycle was intercepted and from the possession of accused 4.100 kg ‘ganja’ recovered/seized. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that though he is in custody since 10.10.2023 (as stated in paragraph 9 of the bail application), still the report has not confirmed whether it was ‘ganja’ or not in any case it is below the



commercial quantity and he do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for bail.

6. Considering the submissions put forward by the parties as also the quantity of the recovery, is in custody since 10.10.2023, he do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Sessions Judge cum Special Judge, Bhabua, Kaimur in connection with Bhagwanpur P.S. Case No. 298 of 2023, subject to the following conditions-:

(i) one of the bailor should be the family member 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 fortnight for next six months to mark



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 his 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. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

