

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9509 of 2024

Arising Out of PS. Case No.-693 Year-2023 Thana- MANER District- Patna

Rohit Kumar, son of Amaresh Kumar Singh Mohalla- Rajputana Yarpur Ps-
Gardanibagh Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Atul Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Maner P.S. Case No. 693 of 2023, lodged on 22.09.2023 under
Sections 8(C)/20(B) of the N.D.P.S. Act.

3. As per the prosecution case, FIR has been lodged
against five named accused persons including the present
petitioner. Total 19.5 grams of smack was recovered which is
the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that though total 19.5 grams of smack was
recovered but, from the petitioner's possession only 3.04 grams
(on proportionate basis) of smack has been recovered which is



less than the small quantity as small quantity is 5 grams. Counsel further submits that the antecedent of the petitioner is not clean and there is only one criminal case pending against him in which he is on bail. The petitioner is in custody since 23.09.2023 in the present case.

5. Learned counsel for the petitioner submits that the other co-accused persons have been granted bail by the co-ordinate bench of this Court *vide* orders dated 12.01.2024 and 31.01.2024 passed in Cr. Misc. Nos. 89 of 2024 and 3154 of 2024 respectively.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named, be granted bail**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Patna in connection with Maner P.S. Case No. 693 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J.)

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