

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2234 of 2024

Arising Out of PS. Case No.-1422 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Rameshwar Singh, Son Of Late Nirshu Singh Resident Of Village - Nazirpur,
P.S. - Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 1422 of 2023, lodged on 29.10.2023
under Sections 8/20(b)(ii)(A) of the N.D.P.S. Act.

3. As per the prosecution case, the FIR has been
lodged against the sole petitioner from whose possession, total
113.60 grams of *ganja* along with Rs. 38,500/- has been
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 the quantity of *ganja* which has been
recovered is small in nature and the petitioner is a user of *ganja*
and it is due to this reason, small quantity of *ganja* has been



recovered from the petitioner's possession. Counsel further submits that the antecedent of the petitioner is not clean and he is accused of N.D.P.S case in the year 2018. Counsel also submits that petitioner is in custody since 30.10.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is not clean and he is earlier accused of N.D.P.S. case.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge as well as the Trial Court on being satisfied with the affidavit to be submitted by the petitioner before the Trial Court indicating therein that he is not absconding in earlier N.D.P.S case*, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1422 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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