

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62529 of 2024

Arising Out of PS. Case No.-460 Year-2019 Thana- SHERGHATI District- Gaya

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Rahul Kumar @ Rahul Kumar Singh S/o Late Shiv Shankar Singh R/o Home
No. 205, Sodhi Mulyankan Forest Department, P.S. - Aadilpur, Distt. -
Saraikela (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

7 28-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with N.D.P.S. Case No. 66 of 2019 arising out of Sherghati P. S. Case No. 460 of 2019 registered for the offences punishable under Sections 18, 20 and 22 of the N.D.P.S. Act

3. As per allegation in the F.I.R., the informant got information about a Bolero Pick-up Vehicle which is standing on G.T. Road in abandoned condition. The informant along with other police personnel reached there and recovered a total quantity of 150 kg Ganja kept in 30 packets from the said vehicle.



4. Learned counsel for the petitioner submits that earlier petitioner has moved for grant of regular bail vide Cr. Misc. No. 56120 of 2022 which was rejected by Hon'ble Court. He further submits that petitioner is innocent and has falsely been implicated in this case. Allegation of recovery of 150 Kg of weed from a pick-up bolero found by police in an abandoned condition. Petitioner is not named in F.I.R. and nothing incriminating has been recovered from his possession. He was not the driver of said vehicle and no one had seen the petitioner at the place of occurrence. The occurrence took place on the 02.10.2019 and the first information report was lodged on the same day against unknown driver and owner. Petitioner has clean antecedent and is languishing in jail since 27.07.2022.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. During course of argument learned counsel for the petitioner also submits that after investigation charge-sheet has been submitted and present stage of the case is for prosecution evidence and a report has come from the concerned trial court in which it is stated that despite issuing summon and notice no prosecution witnesses has turn up for his evidence till date.



7. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Court / Concerned Court, Gaya in connection with N.D.P.S. Case No. 66 of 2019 arising out of Sherghati P. S. Case No. 460 of 2019 subject to the following conditions :-

(i) Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii) One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

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