

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 68939 of 2024

Arising Out of PS. Case No.-1074 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Guddu Singh Son of Triloki Singh Resident of Village - Golhar Alampur,
Ward No. 6, Police Station - Shiv Sagar (Baddi O.P), District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
NDPS Case No. 07 of 2024 arising out of Sasaram (Darigaon)
P.S. Case No. 1074 of 2023 dated 16.11.2023, lodged under
Sections 20(b)(ii)(B) and 22(b) of the NDPS Act.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons and in this case,
two persons were arrested from the motorcycle including the
petitioner from whose possession 9.990 kg of *Ganja* has alleged
to be recovered.

4. Learned counsel for the petitioner submits that the
antecedent of the petitioner is clean. He was in custody since
17.11.2023 but from 07.02.2024 to 03.05.2024, he was granted

provisional bail on medical ground for treatment. He further submits that the petitioner has not misused the privilege of provisional bail which has been granted on medical ground. He further submits that 2 accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 23.09.2024 passed in Cr. Misc. No. 359 of 2024 (on the ground of juvenile) and vide order dated 11.11.2024 passed in Cr. Misc. No. 75619 of 2024. He further submits that the said quantity is less than the commercial quantity but higher than the smaller quantity. He further submits that charge has already been framed in this case.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that from the record, it transpires that co-accused has been granted bail.

6. 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 Only) with two sureties of the like amount each to the satisfaction of learned 14th Additional Sessions Judge, Rohtas at Sasaram in connection with NDPS Case No. 07 of 2024 arising out of Sasaram (Darigaon) P.S. Case No. 1074 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors 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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