

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.432 of 2025

Arising Out of PS. Case No.-82 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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Raj Kumar Singh @ Bablu Singh Son of Late Satyanarayan Singh @ Sato
Singh Resident of Village - Bishanpur, Police Station - Sikandra, District -
Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr. Bipin Kumar, learned counsel for the

petitioner and Dr. Mrityunjay Kr. Gautam, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
29.09.2024, in connection with N.D.P.S. Case No. 01 of 2017
arising out of Case No. 82C2 of 2017, dated 09.02.2017
registered for the offences punishable under Sections 20 of the
N.D.P.S. Act.

3. The case relates to recovery of 05 Kgs. of Ganja
from the joint house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that as per



allegation in the F.I.R. that 05 Kgs. of Ganja has been recovered from the house of the petitioner. Learned counsel for the petitioner further submits that the recovered contraband is less than the commercial quantity and hence there is no embargo under Section 37 of the N.D.P.S. Act to enlarge the petitioner on bail and apart from that the petitioner is not the exclusive owner of the house in question. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.09.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the recovered contraband is less than the commercial quantity, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Jamui in connection with N.D.P.S. Case No. 01 of 2017 arising out of Case No. 82C2 of 2017, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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