

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87827 of 2024

Arising Out of PS. Case No.-142 Year-2024 Thana- DOBHI District- Gaya

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Anil Kumar S/O Ganesh Yadav Resident of village - Lath Bela, P.S- Dhanghi,
Dist.- Gaya

... .. 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.Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-01-2025 Heard Mr. Manish Kumar no.2, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Dobhi P.S. Case No. 142 of 2024 for the offences punishable under Sections 8, 17(C) & 18(c) of N.D.P.S Act, lodged on 04.08.2024 by the informant, Arjun Kr Paswan.

3. As per the prosecution story, the informant upon secret information, intercepted a motorcycle and recovered/seized 10 Kilograms of Doda powder. This led to the FIR/arrest.

4. The case of the petitioner is that he has got no criminal antecedent and is in custody since 05.08.2024. The police due to enmity has implicated, in any case, it is below the commercial quantity of 50 Kilograms as per the list of NDPS (Sl. No. 110).



5. Learned APP opposed the prayer submitting the police intercepted and recovery/seizure has been made though concedes that it is below the commercial quantity.

6. Considering the submissions put forward by the parties as also the fact that the quantity seized is below the commercial quantity, is in jail since 05.08.2024 (para-4 of the petition) having no criminal antecedent, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge cum Special Judge, (NDPS Act), Gaya in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member/relative 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for next six months to mark his attendance;

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

(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 his bail bonds.

(Rajiv Roy, J)

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