

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88921 of 2024

Arising Out of PS. Case No.-301 Year-2024 Thana- JANKINAGAR District- Purnia

Ritesh Kumar S/o Binod Yadav @ Vinod Yadav R/o Village- Jhalighat, Ward
No. 7, P.S.- Janki Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Special (N.D.P.S. Act) Case No. 137 of 2024, arising out of Janki Nagar P.S. Case No. 301 of 2024 registered for the alleged offences under Sections 8(c), 21(b) of N.D.P.S. Act.

3. As per prosecution case, recovery of 5.67 gm of smack was made from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Seizure list was not prepared in presence of independent witnesses and the witnesses are members of raiding party. Even from the allegation it appears that the weight of the contraband



was taken along with plastic material in which it was kept so the weight might come down to 5 gm notified as small quantity. The petitioner is a student of B.A. Part I and is in custody since 16.08.2024. The petitioner is having antecedent of one more case of similar nature in which he is on bail and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner was earlier found involved in similar type of offence.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of contraband and also considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to 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 Special Judge (N.D.P.S. Act), Purnea /concerned Court in connection with Special (N.D.P.S. Act) Case No. 137 of 2024, arising out of Janki Nagar P.S. Case No. 301 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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