

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5856 of 2017

Arising Out of PS.Case No. -287 Year- 2016 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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1. Chandan Mishra, son of Late Dharmendra Mishra, Resident of Village-
Janpul Chowk, Koluharwa Ward No. 2, Police Station- Motihari Town;
District-East Champaran.

.... Petitioner/s

Versus

1. The Union of India through Narcotics Department.
2. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 08-02-2017 Heard learned counsel for the petitioner and learned
APP appearing on behalf of the State.

The petitioner seeks regular bail in connection with
Chhatauni P.S. Case No. 287 of 2016 registered for the offences
punishable under Sections 20, 22, 27 and 32 of the N.D.P.S.
Act.

The case has been registered on the self statement of
S.H.O of Chhatauni and the allegation is that this petitioner was
apprehended and on search, 25 grams of Smack in 12 Puriya
was recovered from his possession.



Learned counsel for the petitioner submits that he was apprehended merely on the basis of suspicion. The alleged recovery comes under small quantity and he remained in custody since 03.12.2016. The disposal of trial will take some time and so considering the small quantity, the petitioner deserves to be enlarged on bail.

Learned APP for the State, on the other hand, opposed the submission.

The petitioner allegedly was found in possession of 25 grams of smack. He has no antecedent and has denied any recovery from his possession.

Considering the nature of allegation and the fact that he has no antecedent, the prayer for bail application is allowed and the petitioner, Chandan Mishra, is directed to be enlarged on bail on furnishing bail bonds of Rs. **50,000/- (Fifty thousand)** with two solvent surety of the like amount to the satisfaction of the learned Special Judge, Motihari, East Champaran in connection with Chhatauni P.S. Case No. 287 of 2016 (N.D.P.S. Case No. 80 of 2016). The petitioner shall remain present before the court concerned during the trial and shall also comply with the conditions enumerated under Section 437(3) of the Cr.P.C.



and so also as imposed by the trial court.

(Sanjay Kumar, J)

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