

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38973 of 2019

Arising Out of PS. Case No.-143 Year-2018 Thana- BALIYA District- Begusarai

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DANI LAL CHAUPAL @ DANE LAL CHAUPAL @ DANI LAL
CHHAUPAL S/o Late Aitwari Lal Chaupal Resident of village- Chharapatti,
P.S.- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 31-07-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **N.D.P.S. Case No. 11 of 2018 arising out of Balia P.S. Case No. 143 of 2018**, instituted for the offence under Section(s) 8, 20(B)(ii)(c), 25 and 29 of NDPS Act.

Prayer for bail of the petitioner was earlier rejected by this Court vide order dated 19.12.2018 passed in Cr. Misc. 66286 of 2018.

Counsel for the petitioner submits that petitioner is in custody since 31.5.2018 having clean antecedent. He further submits that other co-accused have already been granted bail by this Court as well as coordinate Benches of this Court, copies thereof, have been enclosed as Annexure-3.



Report was called for from the court below which has been received. From the report it appears that the case is pending for evidence. Two prosecution witnesses have been examined.

Counsel for the petitioner has drawn attention of this Court of the seizure list which shows no recovery of Narcotic drugs from possession of the petitioner.

Petitioner is in custody since 31.5.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional District and Sessions Judge-I-cum-Special Judge, NDPS Act, Begusarai**, in connection with **N.D.P.S. Case No. 11 of 2018 arising out of Balia P.S. Case No. 143 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail



bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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