

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22140 of 2020

Arising Out of PS. Case No.-1408 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

CHHOTU DAS @ CHOTU DAS S/o Late Ganga Das Resident of Village-
Vijay Chhapra, Bandh Road, P.S-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-08-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Ahiyapur P.S. Case No.
1408 of 2019, registered for the offence punishable under
Section 20/22 of the NDPS Act.

100 gms of charas is said to have been recovered from
the pocket of the paint of petitioner.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. Nothing has
been recovered from possession of this petitioner. Similarly
situated co-accused have been granted bail by this court vide



order dated 05.06.2020 passed in Cr. Misc. No. 18377 of 2020 and order dated 02.06.2020 passed in Cr. Misc. No. 16777 of 2020. Petitioner is in custody since 29.11.2020 having clean antecedent.

Learned counsel for the State vehemently opposed the prayer for bail.

Considering the facts and circumstances of the case and the fact that small quantity of charas has been recovered from possession of this petitioner, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1408 of 2019 subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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