

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24581 of 2020

Arising Out of PS. Case No.-101 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

SURAJ PASWAN S/o Sri Shankar Paswan R/o Village- Panapur Gaurahi,
P.S.- Sadar Hajipur, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-09-2020 . As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Sadar Hajipur PS Case No. 101 of 2020 registered under Sections 8, 20(b)(ii)(A) & 25 of NDPS Act and Section 25(1-b)a, 26 of the Arms Act.

During patrolling the petitioner is alleged to have been



apprehended with 150 gm Ganja. One country made pistol with live cartridge is also alleged to be recovered.

Learned Counsel for the petitioner submits that the recovery is not as per requisite procedure. The alleged recovery is of non commercial quantity. The petitioner has no antecedent under the NDPS Act and is in custody since 12.2.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named 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 Sessions Judge, Vaishali in Sadar Hajipur PS Case No. 101 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

U		T	
---	--	---	--

