

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12185 of 2021

Arising Out of PS. Case No.-454 Year-2020 Thana- DAUDNAGAR District- Aurangabad

Suresh Singh, Male, aged about 55 years, Son of Late Ramdeo Singh
Resident of Village - Buknapur, P.s.- Daudnagar, Distt.- Aurangabad, Bihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar Pandey
For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 28-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Daudnagar P.S. Case No. 454 of 2020, registered for the offence under Section 20(b)(ii) (B) of N.D.P.S. Act.

As per the prosecution case, 195.5 gm. of Ganja has been recovered from the *gumti* of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the possession of the petitioner. The recovery is less than small quantity and same was kept for personal consumption. Mandatory provision with regard to search & seizure has not been followed. Petitioner is in custody since 14.12.2020.

Learned A.P.P. for the State has opposed the bail petition.



Considering the aforesaid facts & circumstances and the fact that the recovered *ganja* is less than small quantity, the bail petition of petitioner is allowed. Let the above named petitioner 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 Sessions Judge, Aurangabad in connection with Daudnagar P.S. Case No. 454 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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