

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18136 of 2021**

Arising Out of PS. Case No.-163 Year-2020 Thana- JADOPUR District- Gopalganj

KAILASH MUKHIYA SON OF SHANKAR MUKHIYA RESIDENT OF
VILLAGE MAHESHPUR, P.S. GOPALPUR, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 30-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 8, 20 and 29 of
the N.D.P.S. Act.

As per the prosecution case, on a search being
conducted, it is stated that about 4 kgs of charas was recovered
from the bushes behind the house of the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. No
incriminating article has been recovered from his possession or
his house. The alleged place of recovery is an open place. He
has no concern with the seized narcotic. He has no criminal
antecedent and is in custody since 16.10.2020.

Heard learned A.P.P. for the State.



Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Trial no.20 of 2020 (arising out of Jadopur P.S. Case no.163 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge, Gopalganj.

It is further directed that the petitioner shall remain physically present in Court on each date of the case/trial and in case of the petitioner's absence or non-cooperation in the learned court below, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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