

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26836 of 2021

Arising Out of PS. Case No.-22 Year-2021 Thana- HARSIDHI District- East Champaran

Prince Kumar Son Of Kameshwar Singh R/O Village- Balua, P.S.- Paharpur,
District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 10-12-2021 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Petitioner who is in custody since 18.01.2021 seeks
regular bail in connection with Harsidhi P.S. Case No. 22 of
2021 registered for offences punishable under Sections 395/412
of the Indian Penal Code and 20/22 of the N.D.P.S. Act.

Case of the prosecution in brief is that upon secret
information, a raid was conducted and petitioner along with co-
accused was arrested. On search, three mobile phones, one
chain, one ring, Diazepam injection-2 ML-2 pieces, Lorazepam
tablet 2 Mg-40 pieces (one patta) and Safezone- 3 ML two
syringes were recovered.

Learned counsel on behalf of the petitioner submits



that no case is made out against the petitioner under alleged Section of N.D.P.S. Act as well as he was just a member of the crowd. He further submits that petitioner has clean criminal antecedent and he is a student. It is further submitted that only mobile phone was recovered from the possession of the petitioner which was to be repaired at Areraj. He further submits that charge-sheet has already been submitted.

Learned A.P.P., however, opposes the prayer for bail.

Considering the facts and circumstances of the case, this Court directs that the petitioner above named be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Harsidhi P.S. Case No. 22 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers 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.

(Purnendu Singh, J)

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