

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35626 of 2020

Arising Out of PS. Case No.-334 Year-2020 Thana- HAJIPUR District- Vaishali

Suraj Choudhary, aged about 24 years, Son Of Arun Chaudhary Resident Of
Village - Hathsarganj, Ward No. 1, P.S. - Hajipur Town, District- Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Anuj Kumar, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-01-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the
offence punishable under sections 8/20(w)(II)(B)/29 of the
NDPS Act.

As per the prosecution case, 2.5 kilograms Ganja has
been recovered from a bag which was carried by the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Alleged recovery is less than commercial quantity.
Besides this, the mandatory provision for search and seizure has
not been followed in the instant case. Charge sheet has already
been submitted. Petitioner is in custody since 15.5.2020.

In the facts of the case, prayer for bail of the petitioner
is allowed. Let the petitioner mentioned above 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 Special Judge NDPS, Vaishali in Hajipur Town Police Station Case No. 334 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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