

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14719 of 2021**

Arising Out of PS. Case No.-191 Year-2020 Thana- HAJIPUR District- Vaishali

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DHIRAJ KUMAR S/o Ram Uchit Singh R/o village- Madhurapur, P.S.-
Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kumari, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 03-08-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the

learned APP 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 Hajipur Town PS Case No.

191 of 2020, registered under Sections 25(1-b)a, 26 of the Arms

Act and Sections 20, 22, 23, 27(A) of the NDPS Act.

There is alleged recovery of 300gm *Charas*, country

made pistol and cartridges from the petitioner.



Learned counsel for the petitioner submits that the recovery is not in accordance with law. Petitioner is in custody since 21.02.2020. Petitioner is on bail in Goraul P.S. Case No. 32 of 2020 for the alleged offence under Section 392 of the Indian Penal Code. Recovery is much less than the commercial quantity.

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 learned Addl. District & Sessions Judge 1st-cum-Special Judge, NDPS, Hajipur, Vaishali in Hajipur Town PS Case No. 191 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)

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