

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40834 of 2020

Arising Out of PS. Case No.-168 Year-2020 Thana- ITARHI District- Buxar

Montoo Chouhan @ Mantu Chauhan aged about 28 years Son Of Harihar Chouhan Resident Of Village- Bhelupur, Police Station- Itarhi, District- Buxar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sada Nand Roy, Advocate
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered for the offence punishable under sections 20(b)(ii)(B) of the NDPS Act.

As per the prosecution case, 2 grams Heroine has been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that the alleged recovery is much less than small quantity and the same was kept for personal consumption. Charge sheet has already been submitted. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 8.8.2020.



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 Additional Sessions Judge cum Special Court, NDPS Act, Buxar in Itarhi Police Station Case No. 168 of 2020/NDPS Case No. 23 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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