

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10277 of 2021

Arising Out of PS. Case No.-455 Year-2019 Thana- BAIRIYA District- West Champaran

PYARELAL KUSHWAHA Son of Late Ramagya Kushwaha R/o Village-
Dumariya Ward No.14, at present Mahavir Nagar, Santghat Ward No.03, P.S.-
Bairiya, District- West Champaran. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Sharan Tiwari, Adv

For the Opposite Party/s : Mr.Arun Kumar Singh No.5,APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-06-2021 Let the defect (s) be removed within four weeks after
start of the physical Court.

Heard the parties in virtual Court.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 20(b)II(B),23(b) of N.D.P.S.
Act, 1985.

From the house of the petitioner, more than 01 Kg of
Ganja as well as more than 01 Kg of Bhang was recovered.

Submission is that the house is occupied by other
family members also. The petitioner has got no such criminal
antecedent. There is total non-compliance of mandate of law
under Section 42 of the N.D.P.S. Act inasmuch as the substance
of the information was not recorded in writing nor
communicated to the superior officer.



Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bairiya Police Station Case No.455 of 2019 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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