

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2620 of 2021

Arising Out of PS. Case No.-43 Year-2019 Thana- BAUNSI District- Banka

=====

UDIP BHAGAT, SON OF SURESH BHAGAT RESIDENT OF VILLAGE -
DALIYA, POLICE STATION - BOUNSI, DISTRICT – BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. APP

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 24-02-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 20,22 and
23 of N.D.P.S. Act.

Informant is the Police Officer, who in his written
complaint has alleged that on 14.03.2019 at about 4:00 PM he
alongwith other police personnel were on patrolling when he
received a confidential information that Udip Bhagat and his
agnates are indulged in illicit sale of Ganja from their house and
on receiving said information, the house of Udip Bhagat
(petitioner) was searched in presence of Circle Officer and from
his house beneath his Chowki 6.5 Kg of Ganja kept in Plastic
bag was recovered and 500 gram of Ganja and 98 piece of



Cheelum was also recovered and from his agnates Sanjay Kumar Bhagat and Rajesh Bhagat 1-1 Kg of Ganja kept in two packets were recovered as well as 155 pieces of Cheelum was recovered and since Sanjay Kumar Bhagat and Rajesh Bhagat were present in their house, they were apprehended.

Petitioner had earlier moved this Court for regular bail vide Cr. Misc. No. 78406 of 2019 which was rejected on 02.12.2019 with liberty to petitioner to renew his prayer for bail after one year of custody in jail.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case due to dirty village politics and only on the basis of suspicion. Petitioner is in custody since 15.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Banka, in connection with Special Case No. 6/2019 (arising out of Bounsi P.S. Case No. 43/2019) subject to the conditions that:-

- (1) Bailors should be local
having sufficient immovable property



within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers 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.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

