

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5894 of 2021

Arising Out of PS. Case No.-49 Year-2020 Thana- BELDOUR District- Khagaria

Indal Singh, Son of Niro Singh, Resident of Village - Barun, P.S.- Beldaur,
District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 22-07-2021 The matter has been taken up today for
consideration through video conferencing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Special
Case No.1A/2020 arising out of Beldaur P.S. Case No.49 of
2020 registered for the offence punishable under Section 8/20(b)
(ii)(c)/25/29 of the N.D.P.S. Act.

The instant petitioner along with his wife was
indulging in trade of illicit liquor and *cannabis*. On such
information, the police personnel have arrived at the house.
797.22 litres illicit liquor and 3.800 Kg. *Ganja* have been
recovered from his house, from where the petitioner's wife has
also been arrested.



Petitioner's counsel submits that even as per the prosecution case, the petitioner was not present at the time and place of recovery. It is a case of false implication. Based on the same allegations, two cases have been lodged. The instant case is only in relation to the recovered *Ganja*. For the recovered liquor, there is a separate case. The alleged recovery is of small quantity. The petitioner has not been made accused under the NDPS Act prior to the instant case and he is in custody since 09.09.2020. He is accused in two more cases pending against him since before as per the details contained in paragraph 3 of the bail petition.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge (N.D.P.S.), Khagaria, in connection with Special Case No.1A/2020 arising out of Beldaur P.S. Case No.49 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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