

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7267 of 2022

Arising Out of PS. Case No.-91 Year-2021 Thana- KAJRAILICHAK District- Bhagalpur

SURAJ KUMAR Son of Arun Kumar @ Arun Paswan Resident of Mohalla
Mashakchak, P.S. - Jogsar, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Ramchandra Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 01-06-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within one
month.

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

This is an application for regular bail on behalf of the
petitioner for the offences alleged under sections 20 and 22 of the
N.D.P.S. Act.

Three persons namely, Suraj Kumar, the present petitioner,
Mohit Raj and Anuj Kumar were apprehended and 1.140 mg of
brown sugar was recovered from the possession of the present
petitioner. Similarly, 1.180 mg of brown sugar was recovered from
the possession of co-accused Mohit Raj and 0.770 mg of brown
sugar was recovered from the possession of co-accused Anuj Kumar.



Learned counsel for the petitioner has submitted that the petitioner has no criminal antecedents and he is in custody since 09.12.2021. He has submitted further that even cumulative weight of brown sugar is taken into consideration that comes 3.090 mg which is small quantity. He has also submitted that brown sugar/ smack is usually made available in powder form and its main ingredient is heroin which is usually 20% present in brown sugar. The small quantity of heroin itself is 5 gram.

Considering the above mentioned facts and circumstances, clean antecedents and the period of detention of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sessions Judge, Bhagalpur in connection with N.D.P.S. Case no. 84 of 2021 arising out of Kajraili P.S. Case no. 91 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
2. At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the



petitioner within the stipulated time mentioned hereinabove, failing
which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

s.hassan/-

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