

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7549 of 2022

Arising Out of PS. Case No.-543 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

MD. SADDAM KHAN S/o Anish Khan R/o Mohallah Bari Bazar Mohania,
Ward No.11, P.S.- Mohania, District- Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Rajendra Nath Jha

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

ORAL ORDER

2 26-05-2022 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 as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Mohania P.S. Case No. 543 of 2021, registered for
the offences punishable under Section 8 (C), 21 (a) (b), 27 (A) of the
N.D.P.S. Act.

Learned counsel for the petitioner has submitted that
according to seizure list at page 15, 5.850 gram of heroine/smack like
substance was recovered from the possession of the petitioner.

Learned counsel for the petitioner has submitted that
the petitioner is a person of clean antecedents and the quantity is a
little bit more than the small quantity as the packaging materials was



included in that. He has further submitted that the petitioner is under custody since 21.11.2021.

Considering the clean antecedents as well as the period of detention, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special, Kaimur at Bhabua in connection with Mohania P.S. Case No. 543 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) 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)

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