

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6354 of 2022

Arising Out of PS. Case No.-589 Year-2021 Thana- SARAIYA District- Muzaffarpur

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LAL BABU CHAUDHARY SON OF LATE BANWARI CHAUDHARY
Resident of Village - Repura Rampur Vishwanath, P.S.- Saraiya, (Jaitpur
O.P.), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anjana

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

In the present case, the petitioner seeks bail in
connection with N.D.P.S. Case No.117 of 2021 arising out of
Saraiya (Jaitpur OP) P.S. Case No. 589 of 2021 registered for
the alleged offences under Sections 20 and 22 of NDPS Act.

The prosecution case is that on receipt of the secret
information that the petitioner and his father have been
indulging in trade of narcotic substance, their house was raided
and 900 grams of Ganja was recovered from the house. The
petitioner was arrested from the spot.



It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and nothing has been recovered from his possession and recovered Ganja comes under small quantity as prescribed in Notification issued under the NDPS Act, 1985. The petitioner is in custody since 21.08.2021.

Learned special PP has opposed the prayer for bail.

Having regard to the submission made hereinabove and considering the recovery of small quantity of Ganja and further considering the period of detention, the petitioner above named is directed to 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 8th Additional Sessions Judge-cum-Special Judge, NDPS Act, Muzaffarpur in connection with NDPS Case No.117 of 2021 arising out of Saraiya (Jaitpur OP) P.S. Case No.589 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner, preferably one of the parents.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive



dates or in violation of the terms of the bail,
the bail bond of the petitioner will be liable to
be cancelled by the court concerned.

(Arun Kumar Jha, J)

s.hassan/-

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