

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8293 of 2022

Arising Out of PS. Case No.-428 Year-2021 Thana- DHAKA District- East Champaran

ABHISHEK KUMAR, SON OF BACHCHALAL PRASAD YADAV R/O
VILLAGE- MAHUAHI, P.S.- GHORASAHAN, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 29-06-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for
grant of regular bail in a case registered under sections 20, 22 of
N.D.P.S. Act.

The allegation against the petitioner and other
accused person is that they are coming from Nepal on a
motorcycle and they were apprehended by the police with the
said motorcycle and from the search of the said motorcycle,
7 kg *Ganja* and mobile were recovered from the bag, which was



hanging from the handle of the said motorcycle.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case, and the said motorcycle does not belong to the petitioner. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.08.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum Special Judge, East Champaran at Motihari, in connection with NDPS Case No. 77 of 2021, arising out of Dhaka P.S. Case No. 428 of 2021, with following conditions :-

(1) One of the bailors must be close relative of the petitioner.

(2) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing



which on two consecutive dates without reasonable cause, the bail bond of the petitioner will liable to be cancelled.

(3) If the petitioner is found involved in similar nature of offence in future, his bail bond is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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