

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11548 of 2022

Arising Out of PS. Case No.-551 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

Sikandar Prajapati @ Sikendra Prajapati, Son of Murah Prajapati, Resident
of Village- Dandwas, Police Station- Mohania, District- Kaimur (Bhabua).
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-07-2022 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 the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Mohania P.S. Case No. 551 of 2021 registered for the alleged offences under Sections 8 (C)/211(a)(b)/27(A) of the N.D.P.S. Act.

Allegedly the petitioner was apprehended with 2 grams of heroin/smack.

The learned counsel for the petitioner submits that the petitioner is innocent and nothing has been recovered from his possession. Even if the recovery of heroin is admitted, it is only 2 grams and comes under the category of small quantity for which minimum imprisonment is 6 months and the petitioner is in



custody since 28.11.2021 and is having clean antecedent.

Learned APP opposes the prayer for bail of this petitioner.

Having regard to the submissions made hereinabove and considering the quantity recovered from the petitioner along with his period of the custody, 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 Sessions judge-cum-Special Judge, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 551 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (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.

V.K.Pandey/-

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(Arun Kumar Jha, J)

