

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18444 of 2022

Arising Out of PS. Case No.-278 Year-2021 Thana- AMAUR District- Purnia

HAJRAT ALI @ HAZRAT ALI @ MD. HAJRAT SON OF MOHAMMAD
ALI R/O VILLAGE- GERIYA WARD NO.-14, P.S.- JALALGARH,
DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 272, 273, 274, 275 and 276 of the
Indian Penal Code and Section 21(B) of the N.D.P.S. Act.

Recovery is of 8 liters of cough syrup and a
motorcycle along with a mobile.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that it appears from the F.I.R. itself that 8
liters of cough syrup has been recovered from the
possession of the petitioner but the same does not come



under the purview of N.D.P.S. Act. Therefore, no case attracting the sections of N.D.P.S Act is made out against the petitioner. As a matter of fact, nothing has been recovered from the conscious possession of the petitioner. The petitioner, who is a student, is rotting in judicial custody since 16.12.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Amour P.S. Case No. 278 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or



the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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