

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21861 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- SAHODARA District- West Champaran

Mumtaz Alam @ Mumtaz Mian Son of Late Aslam Mian Resident of village -
Jamuniya, P.S.- Sahodara, District - West Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. The Union of India through the Inspector General, S. S. B., Frontier Head
Quarter, Patna, Bihar.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sahodara P.S. Case No. 113 of 2021 lodged under Sections
8/20 (b) (ii) (B) & 8/20 (b) (ii) (C) of the NDPS Act.

The prosecution story is that, on secret information
the police party make raid in which one person was coming
from Nepal to India with ganja was caught raid handed. It was
the petitioner from whose possession 1 kg. ganja was seized.

Learned counsel for the petitioner submits that
petitioner is in custody since 28.11.2021, charge sheet has

already been filed in this case, petitioner has clean antecedent and the NDPS material recovered from his possession is below commercial quantity. Petitioner is ready to support in the trial and undertakes that he shall not involve in any such activity during the bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, West Champaran at Bettiah in connection with Sahodara P.S. Case No. 113 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

The petitioner shall file an affidavit before the lower Court that he shall not involve in any such type of activity during bail, the prosecution shall be at liberty to move for cancellation of his bail bond. The petitioner is also directed to appear on each and every date before the Trial Court, in case of non-appearance for two consecutive dates, shall resulted into cancellation of his bail bond.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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