

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22319 of 2022

Arising Out of PS. Case No.-840 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Diwakar Kumar Son of Sri Nagendra Prasad Singh Resident of Village -
Dhanaur, P.s.- Katra, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh, 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
Ahiyapur P.S. Case No. 840 of 2021 lodged under Sections
414/34 of the Indian Penal Code and Section 8(c), 21(b) of the
N.D.P.S. Act.

The case of prosecution is that on the secret
information, the police party started search at Bakhri Chawk
from where police party has caught two persons including the
present petitioner. From the seizure list, it transpires that 30
sachets smack/heroin weighted about 14 grams were recovered
from the present petitioner.

Learned counsel for the petitioner submits that the



quantity recovered from the petitioner's possession is more than small quantity but much less than the commercial quantity. He further submits that accused is in custody since 02.12.2021 and charge sheet has already been filed in this case. He further submits that petitioner is ready to fulfill all the conditions and also to ready to file an affidavit/undertaking that during pendency of the bail he shall not involve in such activities.

Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances and the submissions made above of this case, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rs. Twenty Thousand) with two sureties one shall be the close relative.

The petitioner is directed to file an affidavit before the Lower Court, at the time of furnishing the bail bond that he shall not involve in any activities during the course of trial, and if he shall found, the prosecution is a liberty to file for cancellation of his bail bond. He shall also undertake that he shall appear in the Court during the trial on day to day basis and failure to appear on two consecutive dates without reasonable cause shall be resulted into cancellation of his bail bond.



With the aforesaid direction, the application is
disposed of.

(Dr. Anshuman, J.)

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