

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32142 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

SERAJ ALAM Son of Jauad Mian Resident of Mohalla - Bara Bariyarpur,
P.S.- Chhatauni, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 28-02-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 10 of 2021, arising out of Motihari (M) P.S.
Case No. 47 of 2021, for the offence punishable under Sections
20, 23 and 25 of the N.D.P.S. Act.

The prosecution case, in brief, is that 350 gram of
Charas was recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that petitioner is in
custody since 30.01.2021.

Learned A.P.P. for the State has opposed the prayer for



grant of bail to the petitioner.

Without going into the merits of the case, considering the quantity of Charas recovered from the possession of the petitioner is less than commercial quantity, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari (M) P.S. Case No. 47 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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