

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36212 of 2021**

Arising Out of PS. Case No.-25 Year-2021 Thana- KORANSARAI District- Buxar

RAJU KANU @ RAJU GUPTA Son of Late Shivlal Kanu Resident of Village
and P.O. and P.S.- Koransarai, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Adv
	:	Mr.Arvind Kumar Pradhan, Adv
For the Opposite Party/s	:	Mr.Raj Ballabh Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

5 12-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 20,21,22 of N.D.P.S. Act, 1985.

On search, 21 pudiya/sachet Heroine like intoxicating substance kept in black coloured plastic placed in left pocket of back side of Jeans, total Rs.37,000/- cash placed in right Pocket of back side and front side and front side of Jeans from Raju Kanu @ Raju Gupta and its weight of seized Heroine substance



is 05 Gram.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that it appears from the FIR that Rs. 37,000/- and 05 Gram of Heroine like substance has been recovered from possession of the petitioner. He further submits that the FSL Report dated 05.01.2022 reveals that Heroin could not be detected in the reddish brown powdery substances respectively as described above. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 25.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 N.D.P.S. Case No.11 of 2021 arising out of Koransarai Police Station Case No.25 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 cancelled 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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