

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25283 of 2022

Arising Out of PS. Case No.-199 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

Bhola Singh S/O Ram Nagina Singh R/o village- Sisua Belautiya, P.S.-
Keshariya, District- East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. The Union of India

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-08-2022 Heard learned counsel for the petitioner and learned
APP.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
N.D.P.S. Case No. 61 of 2020 arising out of Bochahan P.S. Case
No. 199 of 2020 under sections 414, 34 of the Indian Penal
Code and Sections 20, 22 of the N.D.P.S. Act.

As per the prosecution story, the police intercepted
a motorcycle on which three persons were riding, and upon
search, it is alleged that amongst other, from this petitioner 170
grams of ‘Charas’ like substance was recovered/seized.
Accordingly, the same was seized and seizure list prepared.



It is further alleged that from others 150 grams and 137 grams of 'Charas' were also recovered/seized.

Accordingly, the FIR was instituted and the petitioner and the other co-accused came into judicial custody.

Learned counsel for the petitioner that the FIR itself shows that police has opined the material seized as 'Charas' like substance, so far as this petitioner is concerned, there is allegation of recovery of 170 grams of 'Charas', he is in custody since 27.7.2020 (as stated in para-10 of the bail application).

Considering the long incarceration of the petitioner, being in jail since 27.7.2020 as also that the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of 1st Additional Sessions Judge, Muzaffarpur, in connection with N.D.P.S. Case No. 61 of 2020 arising out of Bochahan P.S. Case No. 199 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

