

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40074 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- SONPUR RAIL P.S. District- Saran

Chandan Kumar Paswan S/O Sri Krishna Paswan R/V- Pakri Bazar, P.O.-
Bhairipur, P.S.- Bidupur, Distt- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-01-2022 Heard the learned counsel for the petitioner and the
learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Sonpur
Rail P. S. Case No.23 of 2021 (N.D.P.S. Special Case No.05 of
2021), instituted for the offences under Sections 8, 20, 22 of the
N.D.P.S. Act, 1985.

The learned counsel for the petitioner submits that the
petitioner is in custody since 25.02.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

Allegation is of recovery of 16 kg. of ganja from a
trolley bag which allegedly was being carried by the petitioner.

The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. The



trolley bag did not belong to him and he was going to board a train No.02565 at Sonpur Chapra when the Rail Police came and based on suspicion started searching him and trolley bag, which was kept in the train, was alleged that the same belonged to the petitioner.

The learned counsel for the petitioner submits that even presuming without admitting that what is alleged in the F.I.R. is true then also the alleged recovery is less than the commercial quantity.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 25.02.2021, he is a person with clean antecedent, charge-sheet has been submitted in the case and recovery of ganja is less than the commercial quantity, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Saran at Chhapra in connection with Sonpur Rail P. S. Case No.23 of 21 (N.D.P.S. Special Case No.05 of 2021), with a condition that petitioner will have to mark his attendance before the concerned police



station in between 25th to 30th of every month commencing from January, 2022, till the charges are not framed. In the event, the concerned police station reports to the learned Court below that petitioner has violated the condition imposed as aforesaid in any of the month before framing of charge, the learned Court below will be at liberty to cancel his bail bonds..

The application stands allowed.

(Satyavrat Verma, J)

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