

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30291 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- UDAKISHUNGANJ District- Madhepura

Shyamal Mukhiya, Son of Late Moti Mukhiya Resident of Village - Belahi,
Ward No.- 8, P.S.- Bihariganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2022 Heard Mr. Shailendra Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Bharat Lal, 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
Uda-Kishunganj P.S. Case No. 24 of 2022, for the offence
punishable under Section 8, 20(b)(ii)(A) of the N.D.P.S. Act.

The allegation is of recovery of 600 Grams Marijuana
(Ganja) from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that even taking into consideration the total recovery as
shown in the seizure-list, 600 grams is attributable to the
petitioner. The total recovery is just more than small quantity



and just 300 gram above the small quantity. The petitioner has clean antecedent and he is in custody since 06.02.2022.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Having considered the allegation made in the F.I.R., total quantity of Marijuana (Ganja) recovered from the possession of the petitioner and period of custody undergone by the petitioner. The Chargesheet has already been submitted, without going into the merits of the case, 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 Sessions Judge-cum-Special Judge, N.D.P.S. Act, Madhepura in connection with Udakishunganj P.S. Case No. 24 of 2022, 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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