

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33941 of 2022

Arising Out of PS. Case No.-458 Year-2021 Thana- KOILWAR District- Bhojpur

Pradeep Kumar Singh @ Abhishek Kumar Singh S/o Shyam Bihari Singh,
Resident of Village- Dumaria, P.S.- Koilwar (Gidha O.P.), Dist- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
N.D.P.S. (SL) Case No.7 of 2021 arising out of Koilwar (Gidha
O.P.) P.S. Case No. 458 of 2021, lodged under Sections 20(B) &
22 of N.D.P.S. Act.

As per prosecution case, the recovery of 5 grams
heroin and 5 grams brown sugar were alleged to be made from
the house of petitioner.

Learned counsel for the petitioner submits that
recovery was not made from the conscious possession of
petitioner. He further submits that small quantity for N.D.P.S.

material is 5 grams whereas 10 grams have been recovered from the house of petitioner, meaning thereby that the amount of recovered material is in between small quantity and less than commercial quantity. Learned counsel for the petitioner further submits that petitioner is in custody since 21.03.2022 and there is one criminal case pending against him, which is not of N.D.P.S. Act and he is on bail on the said case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhojpur at Ara in connection with N.D.P.S. (SL) Case No.7 of 2021 arising out of Koilwar (Gidha O.P.) P.S. Case No. 458 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ritik/-

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