

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34924 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- PURNAHYA District- Sheohar

SATYANARAYAN SINGH SON OF SARYUG SINGH R/O VILLAGE-
BARAHI MOHAN, P.S.- PURNAHIYA, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar

For the Opposite Party/s : Mrs.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 20-09-2022 Supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on record.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Purnahiya
P.S. Case No. 92 of 2022 registered for the offences punishable
under Sections 20(B) (ii) C and 22 of the NDPS Act.

As per prosecution case, there is alleged recovery of
204 gm ganja from the kirana shop of the petitioner which was
kept in one black coloured plastic.

Learned counsel for the petitioner submits that
petitioner is in custody since 24.5.2022. Petitioner bears no
criminal antecedent. Learned counsel further submits that



nothing has been recovered from the conscious possession of the petitioner and he has been falsely implicated in this case. He further submits that alleged recovery does not come under the purview of commercial quantity rather the alleged recovery is very less than small quantity. He further submits that petitioner is quite innocent and committed no offence. Learned counsel for the petitioner by submitting supplementary affidavit has stated that no independent witness has supported the prosecution story and even those independent witnesses, who put signature upon seizure list, their statements were also not recorded in the case diary. Learned counsel specifically submits that charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides, keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail



bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Sessions Judge-cum-Special Judge (NDPS), Sheohar in connection with Purnahiya P.S. Case No. 92 of 2022 , subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial Court itself.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(Alok Kumar Pandey, J)

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