

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44723 of 2021**

Arising Out of PS. Case No.-42 Year-2021 Thana- CHHATAUNI District- East Champaran

Awadhesh Rai @ Awadhesh Yadav @ Awadhesh Prasad Yadav S/o Late Siya  
Ram Rai Resident of Village- Bishunpurwa, P.S.- Chhauradano, Distt- East  
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      07-02-2022                      Heard learned counsel for the petitioner and Shri  
Binod Kumar, learned A.P.P. for the State through virtual Court  
proceedings.

The petitioner seeks bail in connection with N.D.P.S.  
Case No. 14 of 2021 arising out of Chhatauni P.S. Case No. 42  
of 2021 instituted for the offences under Sections 8, 20(b)(ii)(c)  
of the N.D.P.S. Act and Sections 25(1-b)a, 26 and 35 of the  
Arms Act.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 10.02.2021, is a person with clean  
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the  
informant alleges that 1 kg 200 grams *charas* and one mobile



was recovered from Biltu Sah and two eight mm cartridges were recovered from Awadhesh Rai (petitioner) along with a mobile. It is further alleged that they disclosed that they had demanded extortion amount of Rs. 15 lakhs from Prakash Kumar, owner of Vishwakarma Hardware and further had come to deliver *charas* to Paras Yadav who sells *charas* in Motihari.

Learned counsel for the petitioner submits that admittedly from the allegation it is evident that no narcotic was recovered from the petitioner and two eight mm cartridges were recovered from his possession. Learned counsel submits that cartridge without gun is of no use this in itself shows that the petitioner has been falsely implicated in the present case.

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

Considering the fact that the petitioner is in custody since 10.02.2021, charge-sheet has been submitted in the case, and petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, East Champaran, Motihari in connection with N.D.P.S. Case No. 14 of 2021 arising out of



Chhatauni P.S. Case No. 42 of 2021 with a condition that one of  
the bailor shall be the son of the petitioner (Punit Kumar).

**(Satyavrat Verma, J)**

Rishi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

