

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36492 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- MOUZA HIDPUR District- Bhagalpur

Bittu Kumar Son of Uma Sah Resident of Mohalla - Amba Bagh, P.S.-
Babarganj, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta, Adv.

For the Opposite Party/s : Mr. Rajeev Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-09-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Mojahidpur (Babarganj) P.S. Case No. 125 of 2022 lodged
under Sections 20(a)(b) of the N.D.P.S. Act.

As per the prosecution case, as per the allegation the
recovery of 1.34 gms of brown sugar was alleged to be made
from the possession of the petitioner.

Learned counsel for the petitioner submits that 1.34
gms of brown sugar is basically a quantity which is less than
small quantity as per the schedule of N.D.P.S. He further
submits that the antecedent of the petitioner is clean and he is in

custody since 16.04.2022. Charge sheet has already been filed in this 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 4th Additional District and Sessions Judge, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 125 of 2022, 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.)

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