

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36649 of 2022

Arising Out of PS. Case No.-893 Year-2021 Thana- KAHALGAON District- Bhagalpur

Sidharth Kumar @ Sidharath Kumar Son Of Ashok Kumar Saha @ Ashok
Sah R/O Village- Shyampur, P.S.- Kahalgaon, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Kahalgaon P.S. Case No. 893 of 2021 for the offence under
Sections 20 and 22 of the NDPS Act.

The police upon information that the petitioner is
selling brown sugar apprehended him and upon search, 20
grams brown sugar like material was recovered/seized along
with Rs. 2100/- cash.

Learned counsel for the petitioner submits that he has
clean antecedent and has passed out from I.T.I. Odisha, being a
young boy of 26 years and has suffered a lot despite the fact that



he has no criminal antecedent.

Learned APP opposes the bail but informs that recovery is below commercial quantity.

Taking into account the aforesaid facts that he is in custody since 24.12.2021, has no criminal antecedent and the charge-sheet has been submitted as also the fact that brown sugar recovered is below the commercial quantity, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-1st, Bhagalpur in connection with Kahalgaon P.S. Case No. 893 of 2021 subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;



(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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