

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36987 of 2022**

Arising Out of PS. Case No.-184 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

Pranav Kumar @ Pankaj Kumar Son of Sri Shatrudhan Ray, R/o Village-  
Kalyani, P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Lal Mani Sharma, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      21-09-2022                      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.

The petitioner seeks regular bail in connection with  
Special (NDPS) Case No. 71 of 2022 arising out of Ahiyapur  
P.S. Case No. 184 of 2022, lodged under Section 414/34 of the  
Indian Penal Code read with Sections 8 & 20 (b) (ii) B of NDPS  
Act.

As per the prosecution case, the recovery of NDPS i.e.  
about 175 grams of *Charas* was alleged to be made from the  
possession of petitioner alongwith 2 screen touch Mobile and 1  
Pulsar bike.

Learned counsel for the petitioner submits that screen

touch Mobile belongs to petitioner and motorcycle belongs to other accused. He further submits that for *Charas* the commercial quantity is 250 grams whereas recovery of 175 grams of *Charas* has took place from the possession of the petitioner. He further submits that charge sheet has been filed without FSL report that whether the recovered material is really a *Charas* or not. Learned counsel for the petitioner further submits that petitioner is in custody since 07.03.2022 having 2 criminal antecedents but none of them belong to NDPS. He further submits that petitioner is ready to fulfill all the conditions, whatsoever shall be imposed upon him by the Court.

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 Special Judge, NDPS Act, Muzaffarpur in connection with Special (NDPS) Case No. 71 of 2022 arising out of Ahiyapur P.S. Case No. 184 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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