

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37842 of 2022

Arising Out of PS. Case No.-543 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

Md. Taslim Khan S/o Md. Afsar Khan Resident of Mohalla- Badi Bazar, Ward
No.11, Mohanta, P.S.- Mohania, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-09-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Mohania P.S. Case No. 543 of 2021 lodged under Sections
8(c)/21(a) (b) / 27(A) of the N.D.P.S. Act.

As per the prosecution case, the police party upon the
information make raid in which total 6 persons were arrested. It
is from the seizure list, it transpires that recovery of 2.260 gm of
heroine like material recovered from the possession of the
petitioner.

Learned counsel for the petitioner submits that the
said quantity is less than the small quantity. Learned counsel for

the petitioner further submits that 4 accused persons have been granted bail, some of the bail application he has attached as Annexure- 2 series in which the accused persons from whose possession more heroine/smack in weight has been granted bail.

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 Addl. Session Judge, 3rd, cum Special Judge, N.D.P.S. Kaimur at Bhabua in connection with Mohania P.S. Case No. 543 of 2021, 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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