

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38165 of 2022

Arising Out of PS. Case No.-157 Year-2022 Thana- MURLIGANJ District- Madhepura

Md. Arwaj Son of Md. Anwar, Resident of Mohalla- Khashipur, Ward No.-03,
P.S.- Murliganj, District – Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Prashant, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar 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
Murliganj P.S. Case No. 157 of 2022, lodged under Sections 20,
21 & 22 of the N.D.P.S. Act.

As per the prosecution case, the allegation against the
petitioner is to sell and consume the *heroine*/ smack is there in
the F.I.R. On raid by the Police in Veterinary Hospital ground
the recovery of 5.62 gram of *heroine*/ smack has been made by
the Police.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that antecedent of petitioner is clean and he is in custody since 04.04.2022, charge sheet has already been filed as well as charge has also been framed in this case. Learned counsel for the petitioner 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 Additional District and Sessions Judge – V, Medhepura in connection with Murliganj P.S. Case No. 157 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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