

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37983 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- RAXAUL District- East Champaran

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SURAJ KUMAR Son of Late Sunil Prasad Resident of Mohalla - Near M.S.
College Chandmari, P.S.- Town, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Asha Kumari

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with NDPS Case No. 3 of 2022 arising out of Raxaul
(Haraiya) P.S. Case No. 29 of 2022, registered for the offences
punishable under Sections 21 (c), 22 (a) of the Narcotics Drugs
and Psychotropic Substances Act, 1985 and 18 (c), 27 (b), (ii) of
the Drugs and Cosmetics Act.

As per allegation, the petitioner, when he was
travelling by his motorcycle was apprehended by police and



some tablets and cough syrups were recovered from his possession.

Learned counsel for the petitioner has submitted that the petitioner is innocent and there is no similar nature of case against him and he is under custody since 18.01.2022.

On the other hand, learned APP has opposed the prayer for bail and has submitted that the tablets which were recovered from the possession of the petitioner were psychotropic substance as they were sedative and drug for insomnia.

Considering the above-mentioned facts and circumstances and also considering the fact that the petitioner is not arrayed in any other case of similar nature as well as the period of detention, let the petitioner above-named be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 14th Additional Sessions Judge cum Special Judge (NDPS), East Champaran, Motihari in NDPS Case No. 3 of 2022 arising out of Raxaul (Haraiya) P.S. Case No. 29 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the



court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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