

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37944 of 2022

Arising Out of PS. Case No.-449 Year-2020 Thana- DIGHA District- Patna

Pankaj Chaudhary, Son of Sri Sita Ram Chaudhary R/M- Gate No.-93, Digha,
P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-09-2022 No one appears on behalf of the learned counsel for
the petitioner. The learned APP for the State is present.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Special Case No.132 of 2020 arising out of Digha P.S.
Case No. 449 of 2020 instituted under Sections 20/2022 of the
N.D.P.S. Act.

The allegation in the FIR is that upon information of
sell of narcotic substance, the police apprehended Sonu Kumar
and Munna Kumar and from them 20 Gms. brown sugar was
alleged to have been recovered. The two persons who were
arrested gave the name of the petitioner as the person who
escaped from the place of occurrence. Accordingly, in the FIR
his name was also incorporated.



As per the averment made in the FIR, neither he was arrested from the spot nor anything has been recovered from his possession and the same has been attributed to Sonu Kumar and Munna Kumar and as per para-3 of the bail application, he is in custody since 05.04.2022.

Taking into account all the aforesaid facts, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties of the like amount each in connection with Special Case No.132 of 2020 arising out of Digha P.S. Case No. 449 of 2020 to the satisfaction of learned Additional Sessions Judge, XIII, Patna, subject to 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 reason will entail cancellation of his bail by the Trial court itself;

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



presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) 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)

Prakash Narayan /-

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