

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51912 of 2021

Arising Out of PS. Case No.-80 Year-2021 Thana- PHULWARISHARIF District- Patna

Md. Raja Son Of Md. Salim Resident Of F.C.I., Lalu Nagar, P.S.- Phulwari Sharif, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Farooque Afzal

For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-02-2022 Heard learned counsel for the petitioner and
learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Special (NDPS Act) Case No.09 of 2021 arising out of Phulwari Sharif P. S. Case No.80 of 2021, instituted for the offences under Sections 20/ 22 of the N.D.P.S. Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 31.01.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case.

Allegation is of recovery of 05 sachets of brown sugar from the petitioner each weighing 01 gram.

The learned counsel for the petitioner submits that



from perusal of the allegation, it would manifest that allegation is of recovery of 05 grams of brown sugar from the petitioner which is a small quantity as per the N.D.P.S. Act. The learned counsel further submits that co-accused Rohit Kumar and Shubham Kumar have been granted bail by order dated 18.08.2021 in Cr. Misc. No.40729 of 2021.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and allegation is of recovery of small quantity of brown sugar and the co-accused have been granted bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Patna in connection with Special (NDPS Act) Case No.09 of 2021 arising out of Phulwarisharif P. S. Case No.80 of 2021, subject to condition that one of the bailers shall be the father of the petitioner namely, Md. Salim and in the event, if the



petitioner is implicated in a case of similar nature, the learned Court below will be at liberty to cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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