

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53531 of 2021

Arising Out of PS. Case No.-85 Year-2021 Thana- KRITYANAND NAGAR District- Purnia

Sikandar Kumar Rajak @ Sikandar Rajak Son Of Nanddev Rajak Resident Of
Village- Basghadha, Gerabari, Ward No. 6, P.S.- Korha, District- Katihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma

For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-02-2022 Heard learned counsel for the petitioner and
learned APP for the State through video conferencing.

The petitioner seeks bail in connection with K.
Nagar (Champa Nagar) P. S. Case No.85 of 2021, instituted
for the offences under Sections 8(c)/21(b) of the N.D.P.S.
Act.

The learned counsel for the petitioner submits that
the petitioner is in custody since 03.03.2021, he is a person
with clean antecedent and charge-sheet has been submitted
in the case.

Allegation is of recovery of 5.11 grams of heroin
from the possession of the petitioner.

The learned counsel for the petitioner submits that



petitioner has been falsely implicated. Nothing was recovered from his possession and even presuming what has been alleged in the F.I.R. without admitting is true, then the alleged recovery is a little more than the small quantity which is 05 grams. The learned counsel further submits that petitioner is a person with clean antecedent and it is first offence and the petitioner in future will never repeat the offence.

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 it is his first offence and the recovery is of a little more than the small quantity, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Purnea in connection with K. Nagar (Champa Nagar) P. S. Case No.85 of 2021, subject to condition that one of the bailers



shall be the father of the petitioner namely, Nand Dev Rajak
and in the event, if petitioner is implicated in a case of
similar nature by name, the learned Court below shall
forthwith cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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