

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55733 of 2021

Arising Out of PS. Case No.-234 Year-2020 Thana- PIPRAHI District- Sheohar

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ALOK GIRI Son of Kailash Giri Resident of Village- Jaafarpur, P.O.-
Khaiwa, P.S. and District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Y.V. Giri, Sr. Advocate Mr.Sumit Kumar Jha, Advocate
For the State	:	Mr.Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Piprahi P.S. Case No. 234/ 2020 for the offence punishable
under Sections 20, 22 and 24 of the Narcotics Drugs and
Psychotropic Substance Act.

Allegation in FIR is recovery of Marijuana (Ganja)
weighing 1.5 kg from the dicky of the motorcycle which
belonged to the petitioner.

Shri Y.V. Giri, senior counsel appearing on behalf of
the petitioner submits that the allegation made in FIR is not



sustainable in the eye of law in want of seizure to have been affected. As alleged no seizure list is part of the FIR. The petitioner has falsely been implicated in the present case. The fact that the motorcycle from which Ganja was recovered belonged to the petitioner was stolen and in that respect petitioner had lodged Rajepur P.S. Case No. 142 of 2020 three days before the lodging of the present FIR in which petitioner has been made accused on 16.10.2020. Petitioner has clean antecedent and is in custody since 26.08.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case and nature of allegation made in the FIR without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum Special Judge, Sheohar in connection with Piprahi P.S. Case No. 234/2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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