

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60515 of 2021

Arising Out of PS. Case No.-19 Year-2021 Thana- BHANGHA District- West Champaran

BUDHI CHAUDHARY S/o Ganesh Chaudhary Resident of Village- Sugauli,
P.S.- Pathrahiya, District- Parsa (Nepal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.G.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 22-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Trial No. 26/ 2021 arising out of Bhangaha P.S. Case No. 19 of 2021 registered for the alleged offences under Sections 20, 21, 23, 24 and 27 of the N.D.P.S. Act.

As per prosecution case, the police received secret information about a person coming to India from Nepal with contraband. The petitioner was nabbed and from his possession 11.5 kg ganja was recovered.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case. The recovered ganja is less than the commercial quantity. The search and seizure has been made the violation of provisions of Sections 41, 42, 43 and 50 of the N.D.P.S. Act. Nothing has been recovered from his conscious possession. Charge sheet has been submitted in this case and the petitioner is in custody since 11.03.2021. The petitioner has got clean antecedent.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submissions made hereinabove and considering the clean antecedent of the petitioner and also submission of charge sheet along with period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Bettiah, West Champaran in connection with Trial No. 26/2021 arising out of Bhangaha P.S. Case No. 19 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Gautam/-

U		T	
---	--	---	--

