

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71536 of 2021

Arising Out of PS. Case No.-194 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

NAGA SINGH @ NAGA BIND Son of Late Gurucharan Singh, Resident of
Village - Bhagwanpur, Jagariya, P.S.- Chainpur, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 06 of 2019 arising out of Bhabua P.S. Case
No. 194 of 2019 lodged under Sections 401, 411, 413, 414/34 of
the Indian Penal Code and sections 8/20(b)/(ii)(A) of NDPS Act.

As per prosecution, total 400 gm. of *Ganja* alongwith
3-4 small *pudiya* were recovered from the shop of the petitioner
alongwith other materials used for smoking of *Ganja*.

Learned counsel for the petitioner submits that the
said quantity of *Ganja* i.e. 400 gm. is less than the small
quantity. He further submits that antecedent of the petitioner is
clean and he is in custody since 25.10.2021 i.e. about one year.

Learned counsel for the State opposes the prayer for bail and submits that it is true that the quantity of *Ganja* is lesser than the small quantity.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Kaimur at Bhabua in connection with N.D.P.S. Case No. 06 of 2019 arising out of Bhabua P.S. Case No. 194 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal

activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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