

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71825 of 2021

Arising Out of PS. Case No.-243 Year-2021 Thana- GUTHANI District- Siwan

CHOTELAL MADHESIYA S/o Late Sitaram Madhesiya, Resident of
Village- Guthani East, P.S.- Guthani, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, 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
Guthani P.S. Case No. 243 of 2021 lodged under Sections
8/20(b)/(ii)(A) of N.D.P.S. Act.

Learned counsel for the petitioner submits that total
recovery of *Ganja* is 594 gm. as per the seizure list which is
small quantity. He further submits that antecedent of the
petitioner is clean and he is in custody since 11.10.2021 i.e.
more than one year.

Learned counsel for the State opposes the prayer for
bail and submits that as per case diary total 694 gm. *Ganja* has

recovered alongwith *Tarazoo* and cash money. He further submits that the recovered quantity is less than small quantity as prescribed under NDPS.

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, Siwan in connection with Guthani P.S. Case No. 243 of 2021, 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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