

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8169 of 2023

Arising Out of PS. Case No.-819 Year-2022 Thana- BRAHMPUR District- Buxar

OM PRAKASH RAM Son of Late Ram Dayal Ram R/V- Shivpur, P.S-
Shahpur, Dist- Bhojpur at Ara Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Sinha No. 2
		Mr. Gajendra Nath Ojha
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-05-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Brahampur Police Station Case No. 819 of 2022, dated
15.11.2022, registered for the offences punishable under
Sections 20/21/22 (c) of the Narcotic Drugs and Psychotropic
Substances Act, 1985.

The prosecution case, as per the First Information
Report, is that 08 gms. of heroin/smack is said to have been
recovered from the possession of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has got no criminal antecedent and there is no
likelihood that the petitioner will commit any offence under the



Narcotic Drugs and Psychotropic Substances Act, 1985, after release on bail. He further submits that the quantity of smack recovered from the possession of the petitioner is less than the commercial quantity. He further submits that the petitioner is in custody since 16.11.2022 and charge sheet has already been submitted against him and there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the quantity of smack recovered from the possession of the petitioner is less than the commercial quantity, charge sheet has already been submitted and the petitioner is in custody since 16.11.2022, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge -cum- Special Judge, NDPS, Buxar, in connection with Brahampur Police Station Case No. 819 of 2022.

This is subject to the condition that the petitioner shall



present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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