

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26223 of 2023**

Arising Out of PS. Case No.-780 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

SUJEET KUMAR @ THAPACHI Son of Basueo Rai @ Vasudeo Ray R/V-
Chaksakra, PS- Hajipur Sadar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in connection with N.D.P.S. (gr) No. 57 of 2021 arising out of Hajipur Sadar P.S. Case No. 780 of 2020 dated 25.11.2020 registered for the offences punishable u/ss 8, 20(b)(ii) (B), 25, 29 of the Narcotic Drugs and Psychotropic Substances Act (N.D.P.S. Act).

As per the prosecution case, during the course of the patrolling, the police caught hold of one person namely Uttam Kumar. On search, 1100 gm Ganja and some mobile phones were recovered from his bag which was seized by the police.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused Uttam Kumar. Nothing incriminating article has been recovered from the possession of the petitioner. The co-accused Sanjay Paswan has been granted bail by the Coordinate Bench of this court vide order dated 27.07.2021 passed in Cr. Misc No. 13533 of 2022. The petitioner is accused in 25 other criminal cases and only one case is related to the N.D.P.S. Act out of the said criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 18.04.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner and submitted that the seized ganja is not of commercial quantity.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in N.D.P.S. (gr) No. 57 of 2021 arising out of Hajipur Sadar P.S. Case No. 780 of 2020 with the following conditions :-

1. The petitioner is directed to



remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds is liable to be cancelled.

2. If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

