

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28739 of 2022**

Arising Out of PS. Case No.-840 Year-2021 Thana- AHYAPUR District- Muzaffarpur

BAIJU THAKUR SON OF BHUTTA THAKUR @ BHUTTA MISTRI R/O
MOHALLA- LAKARIDHAHI, P.S.- MUZAFFARPUR, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 18-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 414 and 34 of the Indian Penal Code read with Sections 8(c) and 21(b) of the N.D.P.S. Act.

Learned counsel for the petitioner submits that petitioner is in custody since 02.12.2021 and is a person with clean antecedent and allegation is of recovery of 24 gm of smack from his possession.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that even presuming what has been alleged is true without admitting for the purposes of bail when the alleged



recovery is a little more than small quantity but much less than commercial quantity and petitioner is a person with clean antecedent. It is next submitted that petitioner would not abscond rather will co-operate in the trial.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the submission made by the learned counsel for the petitioner, the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Ahiyapur P.S. Case No. 840 of 2021.

One of the bailors shall be the father of the petitioner Bhutta Thakur @ Bhutta Mistri.

Further, in the event, if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner, the learned trial court shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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