

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51164 of 2023

Arising Out of PS. Case No.-88 Year-2022 Thana- SUPPI District- Sitamarhi

ANANDAN KUMAR @ CHHOTE SINGH @ ANANDAN SINGH Son of
Rambabu Singh Resident of village - Barharwa, ward no. 11, P.S. - Suppi,
Distt. - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-09-2023 Heard the parties.

The petitioner is in judicial custody in connection with Suppi P.S. Case No. 88 of 2022 for the offence punishable under Sections 27(b)(ii), 28, 27(d) of Drugs & Cosmetic Act, 1940 and 21(b) of NDPS Act lodged on 31.3.2022 by the informant, Navin Kumar.

As per the prosecution story, the Drug Inspector, Navin Kumar lodged FIR stating that on information that illegal smuggling of psychotropic drugs was being carried out by the petitioner herein, the shop in question was searched and altogether 244 phials of 100 ml. was recovered/seized. Accordingly, the FIR was lodged and the petitioner was taken into custody.



Earlier, a report was called for which has since been received vide letter no. 165 dated 18.8.2023, according to which, six prosecution witnesses named in the charge-sheet, but none of the witnesses have been examined.

Considering the aforesaid facts as also that he is in custody since 1.4.2022 (para-9 of the petition) and do not have criminal antecedent will be diligently appearing in the trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Spl. Judge, NDPS Act, Sitmarhi, in connection with Suppi P.S. Case No. 88 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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