

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53168 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- GAUNAHA District- West Champaran

Nageena Chaudhary, Son Of Late Jhalar Chaudhary, Resident Of Village-
Tikul Tola, Bairiya Dih ,PS- Gaunaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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

ORAL ORDER

2 24-08-2023 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.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Gaunaha P.S. Case No. 78 of 2022 dated 16.04.2022 registered for the offences punishable u/s 8, 20(b), II (B), 23B and 29 of the NDPS Act.

4. As per the prosecution case, police apprehended the co-accused, Ramshurat Chaudhary and 10.200 Kg. ganja was recovered from his bag. The apprehended person further disclosed that he was going to deliver the same to the petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. It is further submitted that the recovery has been made from the co-accused Ramshurat Chaudhary. The seized contraband is not of commercial quantity. The petitioner is accused in three other criminal cases out of which two cases is of similar nature of offence as stated in para 3 of the bail petition. The petitioner is in custody since 25.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 78 of 2022 with the condition :-

- (i) 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
are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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