

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58662 of 2023

Arising Out of PS. Case No.-228 Year-2020 Thana- BARACHATTI District- Gaya

SATISH SAW @ SATISH SAO SON OF BHAGWAN SAW RESIDENT OF
VILLAGE - DARBAR, P.S. - BARACHATTI, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Murad Ashraf, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Barachatti P.S. Case No. 228 of 2020 registered under Sections 20 and 22 of the NDPS Act lodged on 27.04.2020 by the informant, Sudhir Kumar Singh.

As per the prosecution story, the allegation is that the police, on secret informant, reached the house of the petitioner but he managed to escape. Upon search, the allegation is that 2 K.G. ‘doda’ was recovered from a plastic sack kept inside the newly built house. Accordingly, the FIR.

It is the case of the petitioner that it is the newly built house, no one reside there, frequented by everyone, he has been implicated and in any case, the recovery/seizure is below the



commercial quantity.

Learned APP for the State opposes the prayer for bail.

Taking into account the submissions put forward by the learned counsel for the petitioner as also the fact that he is in custody since 14.06.2023 (as stated in paragraph-1 of the petition) and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum Spl Judge NDPS, Gaya in connection with Barachatti P.S. Case No. 228 of 2020 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/her *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/her 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 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 his 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 the bail bonds.

(Rajiv Roy, J)

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