

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 57454 of 2022**

Arising Out of PS. Case No.-287 Year-2022 Thana- RAMNAGAR District- West Champaran

Awadhesh Choudhary Son of Late Fulena Choudhary Resident of village-
Sigari Thudhi, Police Station- Ram Nagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr Md Matloob Rab, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-01-2023

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Ram Nagar Police Station (for brevity, **PS**) Case No 287 of 2022 lodged on 17.06.2022 registered for the offence punishable under Section 353 of Indian Penal Code and Sections 20 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.

From beneath the **Chauki** on which the petitioner was sleeping with his son, there is alleged recovery of 950 grams of **Ganja**.

Learned counsel submits that the petitioner has falsely been implicated on account of his antecedents. The alleged recovered **Ganja** is of small quantity and petitioner has remained in custody since 17.06.2022.

Learned APP has opposed the prayer for bail, referring to the petitioner's antecedents.

Having considered the rival submissions and quantum of recovery, this Court, for the purposes of grant of bail, is inclined to



accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, West Champaran at Bettiah in Ram Nagar PS Case No 287 of 2022 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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