

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56703 of 2022

Arising Out of PS. Case No.-471 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

Ramsnehi Chaudhary S/O Late Baijnath Chaudhary R/o Village -
Mahmoodpur, P.s.- Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 471 of 2022 lodged under Sections
25(1-b)A, 26 and 35 of the Arms Act and Sections 8 and 20(b)
(ii)(B) of the N.D.P.S. Act.

As per the allegation in the F.I.R., total recovery of
1.625 kg of *ganja*, two live cartridges and one pistol are subject
matter of the present case.

Learned counsel for the petitioner submits that the
firearms have not been recovered from the possession of the
petitioner and total 200 gm of *ganja* has been recovered from

his possession.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 07.06.2022 having one criminal case pending against him, which is related to Excise matter and he is on bail in that. Counsel submits that other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 19.01.2023 in Cr. Misc. No. 57085 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st-cum-Special Judge, Muzaffarpur in connection with Ahiyarpur P.S. Case No. 471 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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