

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58017 of 2023

Arising Out of PS. Case No.-291 Year-2023 Thana- BARAULI District- Gopalganj

1. Kameshwar Singh
 2. Anil Singh
- Both are Sons Of Late Nand Kishore Singh Resident Of Village- Ratansarai,
Ward No.18, P.S -Barauli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since
10.07.2023 in connection with Barauli P.S.Case No.291 of 2023,
F.I.R. dated 09.07.2023 registered for the offence punishable
under Section 8/20(b)(ii)(A) of the N.D.P.S.Act.

3. Recovery is of 120 Gm of Ganja and cash of
Rs.300/- from possession of petitioner No.1 and 110 Gm of
Ganja and cash of Rs.200/- from possession of petitioner No.2.

4. Learned counsel appearing for the petitioners
submits that petitioner No.1 carries one case of the similar
nature other than the present one and petitioner No.2 has clean



antecedent and they have falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that 120 Gm of Ganja and cash of Rs.300/- has been recovered from possession of petitioner No.1 and 110 Gm of Ganja and cash of Rs.200/- has been recovered from possession of petitioner No.2. Further submits that the recovered contraband is less than the small quantity so there is no embargo under Section 37 of the N.D.P.S.Act to enlarge the petitioners on bail and the petitioners are in custody since 10.07.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid fact, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gopalganj in connection with Barauli P.S.Case No.291 of 2023, with the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.



(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

