

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62252 of 2022

Arising Out of PS. Case No.-566 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

Raj Kishore Kumar, S/o Ram Swaroop Sahani @ Ramaswarup Sahani, R/o
Village- Kolhua Paigamberpur, P.S.- Ahiyapur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Nandan, Advocate

For the Opposite Party/s : Mr.Anant Kumar-1, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Ahiyapur
P.S. Case No.566 of 2022 (N.D.P.S. Case No.156/2022)
registered for the offence punishable under Section 8(c)/21(b) of
the NDPS Act.

There is alleged recovery of 12 sachets smack like
substance (6 Grams) from the petitioner's possession.

The learned counsel for the petitioner submits that no
such recovery has taken place from the petitioner. On account of
his antecedents (one), as per paragraph 3 of the bail petition, he
has been made an accused in the instant case also. The seizure
memo shows recovery of the substance, one gram more than
minimum quantity in 12 sachets and from the seizure memo, it



is apparent that the weighment has been done along with the packaging. The petitioner under such circumstance has remained in custody since 30.06.2022. The investigation is complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the seizure memo, the fact that the investigation is complete and the period of custody, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Muzaffarpur, in connection with Ahiyapur P.S. Case No.566 of 2022 (N.D.P.S. Case No.156/2022), 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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