

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64966 of 2023

Arising Out of PS. Case No.-280 Year-2022 Thana- BARAUNI RAIL P.S. District- Begusarai

Om Prakash Kumar @ Chulbul Pandey @ Chulbul Panday @ Iron @ Om
Prakash @ Kumar Om Prakash Son Of Late Suresh Mahto @ Late Suresh
Mahton Village- Barauni-01, W.No-4, Near Mandir Shokhara Shokhara 01,
Ps- Phulwariya Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with NDPS Case No. 30 of 2022 arising out of Barauni Rail P.S. Case No. 280 of 2022 dated 31.7.2022 registered for the offences punishable u/s 22 of the NDPS Act.

3. As per the prosecution case, total 130 tablets of Alprax (0.5 mg) is alleged to have recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The charges have been framed. The petitioner is accused in 7 other criminal cases which are not related to the offence of NDPS as stated in para 3 of the bail petition. The active ingredient in Alprax is alprazolam. The seized contraband is less than commercial quantity. The petitioner is in custody since 1.8.2022.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with NDPS Case No. 30 of 2022 arising out of Barauni Rail P.S. Case No. 280 of 2022 with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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