

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68873 of 2022

Arising Out of PS. Case No.-303 Year-2022 Thana- BAISI District- Purnia

MD. RAJA S/O FAKIRA Resident of Village- Panjipara Ward No- 22, P.S.-
Gwalpokhar District- Uttar Dihazpur (WB).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
03.08.2022 in connection with Baisi P.S.Case No.303 of 2022,
giving rise to Special (NDPS) Case No.57 of 2022, F.I.R. dated
02.08.2022 registered for the offence punishable under Sections
Sections 8(c)21(c) of NDPS Act.

3. The case relates to recovery of altogether 90 liters
of banned codeine syrup.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. Further submits that
the allegation as alleged in the FIR is false and fabricated and
the petitioner has not committed any offence as alleged in the



FIR and the drugs recovered from possession of the petitioner is not come under the purview of the N.D.P.S. Act and the F.S.L. report confirms that all the Drugs are under the prescribed limit and the petitioner is in custody since 03.08.2022.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 learned Special Judge, N.D.P.S. Act, Purnea in connection with Baisi P.S.Case No.303 of 2022, giving rise to Special (NDPS) Case No.57 of 2022, with the following conditions:-

(I) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

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