

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74827 of 2023

Arising Out of PS. Case No.-282 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

Mantu Paswan @ Mantu Dhobi Son Of Suchit Dhobi Resident Of Village -
Chhotaka Ramdihara, P.S. - Kudra, District - Kaimur At Bhabua (BIHAR)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kudra P.S. Case No. 282 of 2023 lodged under Sections 8(C) /
20(b) (ii) (B) /29 of the N.D.P.S. Act.

3. As per the prosecution case, the total recovery of
1350 gm of *Ganja* has alleged to be made, which is subject
matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that from the seizure list, it transpires that the said N.D.P.S.
material has been recovered from the corner of *veranda* of the
petitioner.

5. Counsel for the petitioner submits that petitioner is



in custody since 29.07.2023 having clean antecedent. Counsel further submits that the said ganja is just more than the small quantity, but much less than the commercial quantity.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned court of Sessions Judge -cum- Special Judge, Kaimur at Bhabua, in connection with Kudra P.S. Case No. 282 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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