

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 72953 of 2023

Arising Out of PS. Case No.-133 Year-2023 Thana- SONEPUR District- Saran

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UMESH SINGH@DOMAN SINGH SON OF LATE NANDU SINGH
RESIDENT OF VILLAGE- NAWLAKHA MANDIR, MORE (BAG RAJA
MAN SINGH), PS- SONPUR DISTT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2023 Heard the parties.

2. The petitioner is in custody in connection with Sonepur P.S. Case No. 133 of 2023 for the offence under sections 8/20(b), (ii) (A) of the NDPS Act, 1985 lodged on 26.02.2023 by the informant, Parmatma Singh.

3. As per the prosecution story, the police in course of patrolling, got information and raided the wood shop of the petitioner and recovered/seized 105 gm of ‘Ganza’. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that it is an open shop access to everyone and only because he has criminal antecedent, the police implicated him. In any case, the recovered quantity is less than the commercial quantity.



5. Learned APP opposes the prayer for bail though he concedes that the quantity recovered/seized is less than the commercial quantity.

6. Taking into account the aforesaid submissions put forward by the parties as also the fact that he is in custody since 09.09.2023, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) each with two sureties of like amount each to the satisfaction of learned District and Session Judge cum Special Judge, Saran at Chapra, in connection with Sonapur P.S. Case No. 133 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark his attendance;



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

(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 his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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