

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76922 of 2023

Arising Out of PS. Case No.-804 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

ALOK KUMAR Son of Subhash Singh R/o Mohalla - Bhabua ward no. 6,
P.S. - Bhabua, Distt. - Kaimur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bhabua P.S. case No.
804 of 2023 instituted for the offences under Sections 8(c) and
21(b) of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that the 6.970
grams heroine has been recovered in this case.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 02.09.2023 and has two
criminal antecedents. The petitioner has falsely been implicated
in the present case. 6.970 grams heroin has been recovered
from the petitioner which is little over small quantity. There is
no compliance of Sections 42 and 50 of the N.D.P.S. Act.



5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhabua P.S. case No. 804 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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