

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8997 of 2024

Arising Out of PS. Case No.-1083 Year-2023 Thana- ARARIA District- Araria

Md. Nauman S/O Dabiruddin R/O Village- Karobanna, Ward No. 12, P.S-
Jokihat, Distt.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Araria P.S. Case No.1083 of 2023, lodged on 09.11.2023,
under Sections 21(c)/22(c) of the Narcotics Drugs &
Psychotropic Substance Act.

3. As per the prosecution, the present FIR has been
lodged against four named accused persons including the
present petitioner, who is alleged to be the truck driver-cum-
owner. It has been alleged that recovery of 1104 liters codeine
syrup has been recovered from the truck.

4. Learned counsel for the petitioner submits that in
the light of the schedule, the quantity of N.D.P.S. material is
110.4 gram. He submits that the commercial quantity is one



kilogram and small quantity is 10 gram. Therefore, the material recovered is in between small and commercial quantity. Counsel further submits that antecedent of the petitioner is clean. He is in custody since 14.12.2023. Charge sheet has already been filed in this case.

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

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **six months after framing of the 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 Sessions Judge-cum-Special Judge, N.D.P.S. Act, Araria, in connection with Araria P.S. Case No.1083 of 2023, corresponding to Special Case No.110 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure 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)

Mkr./-

U		T	
---	--	---	--

