

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11925 of 2024

Arising Out of PS. Case No.-629 Year-2023 Thana- SHERGHATI District- Gaya

Chhotu Kumar Son of Sudhir Singh Resident of Mohalla- Harnaut Chainpur,
P.S.- Bena, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Ram Sumiran Rai

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 01-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Sherghati P.S. Case No.629 of 2023 registered for the offence
under Sections 8/15(C)/18/25/29 of the NDPS Act.

3. As per FIR, there is recovery of 13.800 kg.
of Doda powder (Poppy straw) from possession of this
petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that recovery of
alleged contraband like Doda powder was not made from
conscious physical possession of the petitioner rather the same



was recovered from beneath the seat no.34 of Maharani Bus bearing registration no.BR02T 2751. It is further submitted that the petitioner has no concern with the alleged recovery as well as vehicle in question. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 15.06.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Sherghati P.S. Case No.629 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every



date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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