

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12999 of 2024

Arising Out of PS. Case No.-383 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Munna Singh Son of Mundrika Singh Resident of Village- Kaura, P.S.-
Udwanthnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Rita Verma, APP

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

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
N.D.P.S. Case no.67 of 2023 arising out of Udwanthnagar P.S.
case No. 383 of 2023 instituted for the offences under Sections
21(b)/29 of the N.D.P.S. Act.

3. Prosecution case, in short, is that 200 grams of
brown sugar has been recovered in this case out of which 90
grams of brown sugar was recovered from the pocket of accused
(petitioner) who was boarding a *Apache* motorcycle whereas
110 grams of brown sugar was recovered from the accused
persons who were on four wheeler.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioner is in custody since 05.09.2023 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Petitioner has got no concern with the alleged recovery. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Section 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, clean antecedent as also 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 N.D.P.S. Case no.67 of 2023 arising out of Udwanthnagar P.S. case No. 383 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)

Alok Verma/-

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