

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38459 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- SONPUR RAIL P.S. District- Saran

AMIT KUMAR SON OF SHRI BABULAL MAHTO Resident of Village -
Alampur Kanhu, Ward No. 15, P.S. - Bachhawara, District - Begusarai (Bihar)
851111

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aaruni Singh, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with PTN-BRSR01P0003702024 (N.D.P.S. Case) arising out of Sonapur Rail P.S. Case No. 26 of 2024 dated 02.02.2024 registered for the offences punishable u/ss 8/20 (b)(ii)/ 20(B)/ 22(b) of the N.D.P.S. Act.

3. As per the prosecution case, total 11 Kg. ganja kept in two bags inside the box was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. It is further submitted that the seized contraband is less than the commercial quantity. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with PTN-BRSR01P0003702024 (N.D.P.S. Case) arising out of Sonapur Rail P.S. Case No. 26 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) The court below shall verify the



criminal antecedent of the petitioner and at any stage, if it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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