

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38076 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- INARWA District- West Champaran

Mahboob Alam @ Mehboob Alam son of Late Aarif Dewan Village- Jankitola
Ps- Jankitola Distt- Parsa Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Inarwa P.S. Case No.25 of 2024, lodged on 16.03.2024, under
Sections 8/20(b)(ii)/23(b)/29 of the N.D.P.S. Act.

3. As per the prosecution, the F.I.R. has been lodged
against the present petitioner against whom the allegation is that
he has been caught with a bag containing *Ganja* weighing 10
Kg.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
further submits that the petitioner is in custody since 17.03.2024
having no criminal antecedent. Counsel submits that recovery of
10 Kg. *Ganja* has been made which is more than small quantity



and less than commercial quantity.

5. Learned counsel for the State opposes the prayer for bail and submits that 10 Kg. of *Ganja* has been recovered from the possession of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, (N.D.P.S.), West Champaran, Bettiah, in connection with Inarwa P.S. Case No.25 of 2024, 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)

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