

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56712 of 2024

Arising Out of PS. Case No.-240 Year-2021 Thana- BARHIYA District- Lakhisarai

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Mausam Singh @ Mausam Kumar Son of Lalan Singh R/O Vill.- Jaitpur, P.s.-
Barahiya, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Rajesh Kumar, Adv.

For the State : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 8/20(b)(ii)(c) and 29 of the
NDPS Act.

3. As per the prosecution case, on secret information,
the police raided the house of the accused persons and recovered
about 1100.590kg of Ganja.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner has been made accused in
this case on the basis of confessional statement of co-accused.
He submits that similarly situated co-accused has already been
granted bail by a coordinate Bench of this Court vide order



dated 27.06.2024 passed in Cr. Misc. No. 26307 of 2024. He further submits that petitioner has five criminal antecedents as stated in para-3 of the bail application and he is languishing in judicial custody since 29.04.2024.

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

6. Considering the facts and circumstances of the case and the fact that the similarly situated co-accused has been granted bail, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barahiya P.S. Case No. 240 of 2021, subject to the conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(IV) The petitioner shall co-operate with the



investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(V) The petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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