

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60111 of 2024

Arising Out of PS. Case No.-231 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Md. Arman Son of Late Wahid @ Abdul Wahid Resident of mohalla -
Mithanpura, House No.- 450, Ward Mo.- 36, Rahmat Ali Colony, P.O.-
Ramna, P.S.- Mithanpura, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-11-2024 Heard Learned Counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mithanpura P.S. Case No.231 of 2023 lodged under Section 414
of the I.P.C. read with sections 8(c) and 21(b) of the N.D.P.S.
Act.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons including the
petitioner against whom there is allegation of recovery of 10
gram smack like substance from their possession.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that after filing of this application, status report has been called



for. He further submits that there is one criminal antecedent of the petitioner in which he is on bail and the said case is not related to N.D.P.S. Act.

5. Learned Counsel further submits that the petitioner is in custody since 02.06.2023. He further submits that the said recovery is less than commercial quantity, but higher than the small quantity. Counsel also submits that the other co-accused has been granted bail by the Co-ordinate Bench of this Court vide Annexure- P/2 series of this bail application.

6. Counsel further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Exclusive Special Court No.II, (N.D.P.S.), Muzaffarpur in connection with Mithanpura P.S. Case No.231 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. 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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