

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61811 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- DHANAHA District- West Champaran

Kamlesh Chaudhary Son of Sri Sudama Chaudhary Resident of village -
Mushahari, Bhagwan Pandey Tola, P.S.- Dhanaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate Mr. Hemant Ray, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-08-2024 Heard Ld. counsel for the petitioner and

Ld. APP for the State.

2. The petitioner seeks bail in connection with
Dhanaha P.S. Case No. 136 of 2023 dated 10.07.2023,
registered for the offences punishable under Sections 8/20(b)(ii)
(B) of the N.D.P.S. Act.

3. As per the prosecution case, 2.100 kg. of *Ganja* like
substance has been recovered from the *Chhaja* of the outer room
from the house of the petitioner.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case and even as per the allegation, only 2.100 kg. of *Ganja* has
been recovered from the *Chhaja* of the outer room of the house



of the Petitioner. He further submits that the petitioner is a young man of 30 years. He further submits that the petitioner has clean antecedent.

5. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory bail or Regular bail.

6. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

7. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Exclusive Special Judge under N.D.P.S. Act, West Champaran at Bettiah in connection with Dhanaha P.S. Case No. 136 of 2023, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/Court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the Court whenever his presence is required.



(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

(iv) In case, it is brought to the notice of the Court below that the petitioner has any criminal antecedent, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

S.Ali/Shoaib

(Jitendra Kumar, J)

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