

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69809 of 2023

Arising Out of PS. Case No.-221 Year-2023 Thana- DARBHANGA District- Darbhanga

Md. Raja @ Raja @ Chipiya @ Md. Falyazuddin son of Late Nijamuddin
Village- Khankah Chowk Ps- Nagar Town, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Town (Kotwali O.P.) P.S. Case No. 221 of 2023, lodged on
29.07.2023 under Sections 20/22 of the N.D.P.S. Act.

3. As per the prosecution case, FIR has been lodged
against the present petitioner against whom there is an
allegation that from his possession, total 32 tablets of Pyeevon
Spas plus having batch No.LYEC-096 was recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that police has arrested the petitioner only due to
the reason that his antecedent is not clean. Counsel further
submits that the petitioner has taken the said recovered tablets



for his personal use as someone is ill in the family and at the time of arrest, he has no prescription in his possession and only due to this reason, police has arrested the petitioner.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is not clean and there are five criminal cases pending against him in which he is on bail. The petitioner is in custody since 30.07.2023 in the present case. Counsel further submits that charge has already been framed in this case. Counsel also submits that the quantity of said recovered 32 tablets is less than the small quantity.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is not clean and this aspect may be taken into consideration while considering the bail application of the petitioner.

7. 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 learned Sessions Judge, Darbhanga in connection with Town (Kotwali O.P.) P.S. Case No. 221 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.



8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

(I)- Town P.S. Case No. 172 of 2017.

(II)- Town P.S. Case No. 137 of 2017.

(III)- Laheriasarai P.S. Case No. 492 of 2017.

(IV)- Laheriasarai P.S. Case No. 482 of 2017.

(V)- Manigachhi P.S. Case No. 186 of 2019.

(Dr. Anshuman, J.)

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