

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75654 of 2024

Arising Out of PS. Case No.-233 Year-224 Thana- UJIYARPUR District- Samastipur

Lal Bahadur Singh Son of Rampreet Singh Vill -chandauli Ps- ujjyarpur Dist-
samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the State : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-10-2024 Heard Mr. Alok Kumar Alok, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Ujjyarpur P.S. Case No. 233 of 2024 for the offences punishable under Sections 8/20(b)(ii)(A) NDPS Act & 37 (C) of the Bihar Prohibition and Excise Act, lodged on 04.09.2024 by the informant, Mukesh Kumar.

3. As per the prosecution story, the informant alleged that upon confidential information that the petitioner going to commit some heinous crime it went to the hutment of Ramnath Das, a car was parked and upon search of the said hut there is recovery of 1.3 Kg Ganja. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that only because he has criminal antecedent, implicated. The hut belongs



to one Ramnath Das. Further, even going by the allegation, the same is much below the commercial quantity for which he has remained in custody since 04.09.2024.

5. Learned APP for the State opposes the prayer submitting that he has criminal antecedent.

6. Considering the submissions put forward by the parties as also the period of custody, as incorporated above and further that the same is below the commercial quantity.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, NDPS Act, Samastipur (Sessions Judge-cum-Special Judge, Samastipur) in connection with Ujiyarpur P.S. Case No. 233 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 bail bonds.

(Rajiv Roy, J)

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