

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83118 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- Basmatia District- Araria

Tulsi Ram Chaudhary

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2024 Heard Mr. Mukesh Kumar Rana, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with Basmatiya P.S. Case No. 32 of 2024 for the offence punishable under sections 8(c)/21, 22, 23 of N.D.P.S. Act and Section 8(c), 21(b) of N.D.P.S. Act lodged on 26.08.2024 by the informant, Surendra Singh.

3. As per the prosecution story, the informant alleged that upon secret information, it intercepted two persons coming from the international border and upon search, there is recovery/seizure of 15.90 gram brown sugar. This led to the FIR.

4. Learned counsel for the petitioner submits that he do not have criminal antecedent, was just strolling around the



international border when intercepted and arrested, he is in custody since 27.08.2024 and in any case, the recovered/seized material is below the commercial quantity.

5. Learned APP opposes the prayer for bail submitting that there is recovery/seizure of brown sugar.

6. Considering the submissions put forward by the parties as also the fact that he do not have criminal antecedent and the recovered/seized material is below the commercial quantity, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Araria in connection with Basmatiya P.S. Case No. 32 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner from the native place who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no 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 his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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