

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82875 of 2024

Arising Out of PS. Case No.-308 Year-2024 Thana- DAGARUA District- Purnia

Pravej Alam @ Parwej Alam S/o Jiaul Haque @ Ziyaul Haque @ Md. Ziyaul
Haque Resident of Telaniya Rahika, PS- Dagarua, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-12-2024 Heard Mr. Fazle Karim, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Dagarua P.S. Case No. 308 of 2024 for the offence punishable under Sections 8(c), 21(b) of the N.D.P.S. Act lodged on 03.10.2024 by the informant, Shailendra Kumar.

3. As per the FIR, during patrolling and on secret information, apprehended the accused and there is recovery/seizure of 48.18 grams Smack (Brown Sugar) kept in a black polythene of right pocket of jeans pant. This led to the FIR.

4. It is the case of the petitioner that he has clean antecedent, is a working person and the Police on suspicion, implicated him thrusting the present case. In any matter, the



same is below the 250 grams of commercial quantity.

5. Learned APP opposes the prayer submitting that there is recovery from his possession.

6. Considering the aforesaid submission put forward by the parties as also that the petitioner do not have criminal antecedent, is in custody since 04.10.2024 and the recovery/seizure 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) with two sureties of like amount each to the satisfaction of learned Special Judge (N.D.P.S. Act), Purnea, in connection with Dagarua P.S. Case No. 308 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 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 month for next one year 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)

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