

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84045 of 2024

Arising Out of PS. Case No.-510 Year-2023 Thana- SUPAUL District- Supaul

Chandan Thakur S/o Wakil Thakur R/V Padampur, Ward No 10, PS- Bihra,
Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-12-2024 Heard Mr. Pramod Mishra, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with Supaul P.S. Case No. 510 of 2023 for the offence punishable under sections 8 and 21(b) of N.D.P.S. Act of the Indian Penal Code lodged on 24.06.2023 by the informant, Birendra Prasad.

3. As per the prosecution story, the informant alleged that the informant alleged that an Apache motorcycle was intercepted upon information that accused are selling Cortex secretly, there is recovery/seizure of 40 bottles of 100 ml each, totaling 4 liters WISCOF Syrup which comes under narcotics substance. This led to the FIR.

4. It is the case of the petitioner that though motorcycle belongs to his family, he has absolutely no criminal



antecedent and is in custody since 02.08.2024. Further, as per the seizure list itself, the total quantity comes to 8 gram, which is even below the small quantity.

5. Learned APP opposes the prayer for bail submitting that from his own motorcycle, the recovery is there.

6. Taking into account the aforesaid submissions as also the fact that the recovered quantity is below the small one under the NDPS Act, he has no criminal antecedent and is in custody since 02.08.2024, 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 Additional Sessions Judge-V, Supaul in connection with Supaul P.S. Case No. 510 of 2023 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/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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