

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.755 of 2024

Arising Out of PS. Case No.-274 Year-2023 Thana- DARBHANGA District- Darbhanga

Mukesh Kumar Roy Madan Roy MOHALL- MISHRA TOLA NAG
MANDIR P.S TOWN KOTWALI O.P DISTT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Adv

For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
PTN (G.O NDPS Case No. 357 of 2023) arisen out of P.S. Case
No. 274 of 2023 registered on 16.09.2023 lodged under Sections
22B of the N.D.P.S. Act.

3. As per the prosecution case, police has apprehended
two accused persons including the present petitioner from
whose possession pyeevon Spas Plus, Alprazolam Tablets,
Spasmo Proxyvon Plus as well as cough syrup has been
recovered.

4. Counsel for the petitioner submits from the
petitioner's possession only tablets were recovered and the said
cough syrup has not been recovered. He submits that the



quantity which has been recovered from the petitioner's possession comes within the preview of more than small quantity but less than commercial quantity.

5. Counsel further submits that seizure list has been attached in the F.I.R. and the said articles were recovered from road near Nag temple and from seizure list it transpires that no offence is made out against the petitioner.

6. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 17.09.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail.

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 cum special Judge, Darbhanga in connection with PTN (G.O NDPS Case No. 357 of 2023) arisen out of P.S. Case No. 274 of 2023 registered on 16.09.2023, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.



(i) one of the bailor should be the family member 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J)

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