

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 68823 of 2024

Arising Out of PS. Case No.-907 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Akhilesh Singh @ Akhilesh Kumar Singh S/O Prabhans Singh R/O Village-
Sadha Newaji Tola, P.S- Muffsil, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 907 of 2023 dated 04.11.2023, lodged
under Sections 8 and 20(b)(ii)(B) of the NDPS Act.

3. As per the prosecution case, the F.I.R. has been
lodged against two named accused persons from whom recovery
of about 5.250 kg *Ganja* has been made, which is the subject
matter of the present case.

4. Learned counsel for the petitioner submits that the
antecedent of the petitioner is clean and he is in custody since
19.07.2024. He submits that from the possession of the
petitioner 2.720 kg *Ganja* has alleged to be recovered which is
much less than the commercial quantity but higher than the

smaller quantity. He further submits that in the said recovery, there is a gross violation of Section 10 of the Cr.P.C. He further submits that according to his information, charge has been framed and one witness has already been examined.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. 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 Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Saran at Chapra in connection with Muffasil P.S. Case No. 907 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors 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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