

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87059 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- PIRO District- Bhojpur

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1. Tunna Kumar S/O Umesh Yadav R/O Raghu Tola, Ara, P.S- Ara Town, Distt.- Bhojpur.
 2. Chandan Kumar S/O Akhilesh Singh RO Village- Darshan Chapra, P.S- Udwanthnagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary

For the Opposite Party/s : Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-01-2025 Heard the learned senior counsel for the petitioners;

Sri Rajesh Kumar Singh and learned APP for the State.

2. The petitioners seek regular bail in a case registered for the offence under Sections 8, 20(b)ii(c) and 29 of the Indian Penal Code.

3. As per the prosecution case, 71 KG of ganja has been recovered.

4. Learned counsel for the petitioners submits that the recovery of the ganja is from the bus and not from the personal possession of the petitioners. The petitioners are in custody since 08.04.2024 and have clean antecedent.

5. Learned A.P.P. has vehemently opposed the prayer



for bail.

6. Considering the fact that the ganja has been recovered from the bus and not from the petitioners and also considering the period of custody, this application for regular bail is allowed.

7. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Court, NDPS Act, Bhojpur at Ara/concerned Court below in connection with NDPS Case No. 35 of 2024 arising out of Piro P.S. Case No. 149 of 2024 subject to condition that:-

(i). **The petitioner no. 01/Tunna Kumar** will mark his attendance at the Ara Town Police Station on every Sunday of each month. **The petitioner no. 02/Chandan Kumar** will mark his attendance at the Udwanthnagar Police Station on every Sunday of each month. Any default in the appearance at the Police Station would result in cancellation of bail bond of the petitioners.

(ii). Before accepting the bail-bond of the petitioners, the court below will verify the antecedent of the petitioners. If the petitioners are found having clean antecedent, the bail-bond of the petitioners shall be accepted. If the petitioners



are found having criminal antecedent(s), bail-bond(s) of the petitioners shall not be accepted by the court below.

(iii). Both the bailors should be close blood relative of the petitioners.

(Sandeep Kumar, J)

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