

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42939 of 2017
Arising Out of PS.Case No. -123 Year- 2013 Thana -GARDANIBAGH
District- PATNA

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1. Ajeet Kumar @ Ajeet Paswan Son of Late Suraj Paswan, R/o Vishnupuri,
Ambedkar Chauk, P.S.- Gardanibag, District- patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-09-2017

Heard learned counsel for the petitioner

and learned A.P.P. representing the State.

The petitioner seeks regular bail in
connection with Special Case No. 24 of 2013 arising
out of Gardanibagh P.S. Case No. 123 of 2013
registered for offences punishable under sections
20, 21 and 22 of the N.D.P.S. Act.

Allegation against the petitioner is that
one of the other co-accused persons in his
confessional statement stated that he received 22
packets of smack respectively from the petitioner.

Learned counsel for the petitioner
submitted that no recovery has been made from the
possession of the petitioner and he is in custody
since 28.04.2014. He further submits that the other
co-accused person from which recovery has been made,
has already been granted bail by a coordinate Bench
of this Court vide order dated 06.08.2014 passed in



Cr. Miscellaneous No. 30686 of 2014 and vide order dated 11.05.2015 in Cr. Misc. Case No. 41890 of 2014 respectively.

Heard learned Special P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, this petition is allowed, let the petitioner be enlarged on regular bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Addl. Session Judge-VI, Patna, in connection with Special Case No. 24 of 2013, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be a close relative of the petitioner.

(ii) If the petitioner is found involved in future in similar type of case the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order including cancellation of bail and

(iii) Petitioner would participate in the Court proceeding and in the event of being absent on two consecutive dates, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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