

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59916 of 2017

Arising Out of PS.Case No. -247 Year- 2017 Thana -PATNA CITY CHOWK District- PATNA

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Sumit Kumar, Son of Arjun Chaudhary, Resident of Agar Hussain Ka Chowk, Santoshi Mata Ka Mandir Gali, P.S. Chowk, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sandeep Kumar,
Mr. Rana Vikram Singh, Advocates

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 25.08.2017 in connection with Special Case No. 126 of 2017 arising out of Chowk P.S. Case No. 247 of 2017 for the offences alleged under Sections 22/27 of the Narcotics Drugs and Psychotropic Substance Act.

3. It is submitted that the petitioner has been falsely implicated and even according to the first information report, recovery from the petitioner is of 5 packets of smack (heroin) weighing 1.62 mg which falls within the limit of the small quantity, namely, 5 grams. This is the first offence in which the petitioner has been implicated and claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Patna in connection with Special Case No. 126 of 2017 arising out of Chowk P.S. Case No. 247 of 2017, on the following conditions:-



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

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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