

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55670 of 2016

Arising Out of PS.Case No. -548 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Sunil Kumar, Son of Shivjee Prasad, resident of Mohalla- Panchmandir,
Police Station- Motihari Town, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate

For the Opposite Party : Mr. Sri Bal Mukund Prasad Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with N.D.P.S.
Case No. 49 of 2016 arising out of Town Motihari P.S. Case No.
548 of 2016 registered for the offences punishable under Sections
20 and 22 of the Narcotic Drugs and Psychotropic Substances Act.

Allegedly, the petitioner was caught with 100 gms.
Ganja when he has gone to meet the custody accused Pappu
Kumar Sonar at the Jail gate.

Submission is of false implication and that no
mandatory provision of law has been complied with and the
petitioner is suffering in custody since 26.08.2016, the petitioner
by remaining in custody has been sufficiently penalized and, as



such, the petitioner deserves sympathetic consideration.

In the facts and circumstances stated above, considering the alleged recovery and detention of the petitioner, now the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 7th Additional Sessions Judge, East Champaran, Motihari, in connection with N.D.P.S. Case No. 49 of 2016 arising out of Town Motihari P.S. Case No. 548 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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