

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45308 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -PATORI District- SAMASTIPUR

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Deepak Kumar @ Dipak Kumar, S/o Pramod Sah, R/o Village- Supaul,
P.S. Patory, Distt.- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-09-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 20(B) of the
NDPS Act.

Counsel for the petitioner submits that the entire
allegation against the petitioner is false and baseless and the
alleged recovery of 1 kg & 40 grams 'Ganja' from the room of the
petitioner is just above the small quantity. He is not residing in the
said house and is living separately. He also submits that co-
accused from whose possession also recovery of 900 grams
'Ganja' is alleged to have been recovered has already been
granted bail by the court below itself and his case stands on



similar footing. In other case pending against him which has been disclosed in para 3 of the petition it is submitted that he is already on bail.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Samastipur in Patory P.S. Case No. 6 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.
- (iii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be



present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

- (iv) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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