

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25548 of 2018

Arising Out of PS.Case No. -344 Year- 2017 Thana -KADAMKUAN District- PATNA

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1. Amit Kumar, aged about 35 yrs. S/o Rajendra Prasad, Resident of Gaya Road, Coukpar, Ishlampur Chauk, Ishlampur Bazar, P.O. + P.S.- Ishlampur, Distt.- Patna. At present resident of Ramkrishna Nagar, near Devi Mandir, P.S.- Ram Krishna Nagar, Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagmani Kumar

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 09-05-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Kadamkuan PS Case No. 344 of 2017 registered under Sections 20 and 22 of the NDPS Act.

The allegation in brief is that 500 grams of Charas was recovered from the possession of the petitioner.

Learned Counsel for the petitioner submits that the informant did not follow the mandatory provisions under Section 50 of the NDPS Act and so called recovery is less than commercial quantity moreover the petitioner has been in custody since 8.8.2017 and charge too has been framed against the petitioner; though he has three criminal antecedent but no case under the NDPS Act.

Having considered the said facts and circumstances, the petitioner, namely, Amit Kumar is directed to be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty-five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge Xth Patna in connection with Kadamkuan PS Case No. 344 of 2017 with the following conditions:-



(i) one of the bailors shall be a close family member of the petitioner; and

(ii) The petitioner shall appear before the trial court on each date and in case of failure to appear on two consecutive dates except because of reasonable cause his bail bonds shall be liable to be cancelled.

(Arun Kumar, J)

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