

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31332 of 2019

Arising Out of PS. Case No.-453 Year-2017 Thana- DANAPUR District- Patna

SONU KHAN @ HAMID KHAN, aged about 30 Years, Male, Son of Nisar Khan @ Md. Neshar, Resident of Saguna Noor Colony, P.S.- Danapur, District- Patna Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 17-08-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 20/22 of the N.D.P.S. Act.

Earlier bail application of the petitioner was rejected as contained in Annexure 1.

Allegation is recovery of 500 grams of Charas from the possession of the petitioner which is less than commercial quantity but above the small quantity.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner is in custody since 15.07.2017 having no criminal antecedent as far as same relates to NDPS Act, although he is accused in two other cases under Indian Penal Act and Arms Act.

Considering the aforesaid facts and circumstances of



the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special Case No.98/17 arising out of Danapur P.S. Case No. 453/17 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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