

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70530 of 2019

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

Vicky @ Baba @ Vicky Kumar Son of Late Md. William Emanuel Resident
of Anisabad, P.S.- Beur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-12-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Spl. Case No. 98 of 2017 (N.D.P.S.) arising out of Danapur P.S.
Case No. 453 of 2017 for the offences punishable under
Sections 20/22 of N.D.P.S. Act.

The allegation is regarding recovery of 500 grams of
charas from the possession of the petitioner.

It is submitted by the learned counsel for the
petitioner that the recovered quantity of charas is less than the
commercial quantity mentioned in the schedule of NDPS Act,
1985, hence the bar of Section 37 of the NDPS Act, 1985 would
not be an impediment in the present case. It is further submitted
that the petitioner is languishing in custody since 15.07.2017.



The learned counsel for the petitioner has further submitted that the charges have already been framed in the present case and the petitioner undertakes to be present before the learned trial court on each and every date so fixed.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional S.J.II, Patna (N.D.P.S.) in connection with Special Case No. 98 of 2017 (N.D.P.S.) arising out of Danapur P.S. Case No. 453 of 2017.

It is further directed that the petitioner shall remain physically present before the learned trial court on each and every date so fixed by the learned court below in the ongoing trial and in the event of two consecutive default, the present privilege of bail being granted to the petitioner shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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