

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22096 of 2020

Arising Out of PS. Case No.-1408 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

Sunil Ram Son of Rupan Ram Resident of Village - Fatehpur, P.S.- Ahiyapur,
Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate
For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 01-12-2020 Heard Mr. Sanjay Parasmani, learned Advocate
for the petitioner and the State.

The petitioner seeks bail in connection with Ahiyapur P.S. Case No. 1408 of 2019 dated 29.11.2019 instituted for the offence under Section 20/22 of the N.D.P.S. Act.

The prosecution of the petitioner is on the basis of recovery of 100 gms. of Charas from his pocket.

Learned counsel for the petitioner has informed this Court that 10 persons were arrested in the same transaction and from all of them, the same quantity of narcotics has been recovered. He, therefore, submits that there is a strange similarity between the cases of the accused persons and out of the ten arrested accused persons, eight have been granted bail by different



Benches of this Court.

The petitioner is in custody since 29.11.2019.

This Court had called for a report about the stage of the case from the court below on 19.10.2020, which report has since been received. It appears that there has not been any substantial progress in the case and till 31.10.2020, the case remained pending for supply of police papers.

Considering this aspect of the matter, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1408 of 2019.

In case the information provided by the petitioner that eight out of ten accused persons have been released on bail and that petitioner bears clean antecedent are found to be incorrect, this order shall not be given effect to by the court below. This Court further directs that the petitioner shall participate in the trial and his unauthorized absence from the trial proceedings would render his bail liable to be cancelled.

(Ashutosh Kumar, J)

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