

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15480 of 2021**

Arising Out of PS. Case No.-137 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

LALLO SAH @ JAI PRAKASH GUPTA Son of Late Ghurahu Sah @
Ghurahu Prasad Resident of Village - Awari, P.S.- Mohania, District - Kaimur
at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 02-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Kudra P.S. Case No. 137
of 2020 corresponding to NDPS Case No. 13 of 2020, registered
for the offence punishable under Section 21(a) of the NDPS Act.

As per the prosecution case, 5.07 gms of Heroin has
been recovered from possession of co-accused Satyam Kumar
Singh @ Guddu.

It is submitted that petitioner is not named in the FIR.
Name of this petitioner has surfaced in this case during course



of investigation in the confessional statement of co-accused Ritesh @ Chhotu Singh. No incriminating article or any contraband material has been recovered from possession of this petitioner. Moreover, co-accused Satyam Kumar Singh @ Guddu from whose possession recovery has been made, has already been granted bail by this Court vide order dated 29.09.2020 passed in Cr. Misc. 25233 of 2020. Petitioner is in custody since 04.09.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 3rd, Kaimar at Bhabua in connection with Kudra P.S. Case No. 137 of 2020 corresponding to NDPS Case No. 13 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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