

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12160 of 2021

Arising Out of PS. Case No.-282 Year-2020 Thana- NAUGACHIA District- Bhagalpur

DEEPAK SHARMA Son of Late Kamlesh Sharma Resident of Village -
Gararia, P.S.- Jaspoora, Distt.- Banda (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.k. Agrawal, Sr. Advocate Mr.Kameshwar Singh
For the Opposite Party/s :		Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-06-2021 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 Naugachhia P.S. Case No.
282 of 2020 (NDPS No. 21/2020), registered for the offence
punishable punishable under Sections 18(A)(B)/27(B) and
28(A) NDPS Act.

On secret information, the informant chased one
Silver coloured Alto Car and caught this petitioner and upon
search, 450 pcs. of banned drug from right pocket of jeans of the
petitioner and from back pocket 45 pcs. of banned drug namely,



Alprazolam tablets IP, ALPrAX-0.5 was recovered.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from possession of this petitioner. The seized medicines were for personal use of this petitioner. The police has submitted chargesheet against this petitioner under Section 18(A) (B)/27(B)/28(A) of the Drugs and Cosmetics Act, 1940 and Amendment Act, 2008. No case under Section 21 of the NDPS Act is made out. Petitioner is in custody since 10.09.2020. Chargesheet has already been submitted.

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 Ist, Bhagalpur in connection with Naugachhia P.S. Case No. 282 of 2020 (NDPS No. 21/2020), 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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