

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24850 of 2021**

Arising Out of PS. Case No.-691 Year-2020 Thana- SITAMARHI District- Sitamarhi

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GULBAHAR ALAM @ GULBAHAR aged about 19 years S/o Mahmud @
Md. Mahmud Ansari Resident of Village- Bandarjhula, Ward No. -8, P.S.-
Sonbarsa, District- Sitamarhi. ... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. A.G.

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

2 26-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 414/34 of the Indian Penal Code and section 20/22 of the NDPS Act.

As per the prosecution case, petitioner is alleged to be one of the associates of co-accused Radheshyam Kumar and Rajnikant Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner's name has figured during course of investigation in confessional statement of co-accused. Ganja has been recovered from some other accused persons. Petitioner has claimed clean antecedent and he is in custody since 15.12.2020.

Learned counsel appearing for the State opposes the prayer for bail.



Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, mentioned above, 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 Special Judge Sitamarhi in Sitamarhi Police Station Case No. 691 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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