

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35539 of 2021

Arising Out of PS. Case No.-224 Year-2017 Thana- SULTANGANJ District- Patna

=====

ALOK KUMAR, Male, age 20 years, Son of Late Prem Sao, Resident of
Mohalla - Chitkohra Bazar, Panjabi Colony, P.S.- Gardanibag, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 06-10-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 20/22 of NDPS Act and
Sections 25(1-b) / 26 /35 of Arms Act.

Earlier also, petitioner had moved this Court for grant
of regular bail which was rejected vide Annexure 1 with liberty
granted to the petitioner to renew his prayer for bail, if trial is
not concluded within one year.

Informant who is a police officer has alleged that on
specific information that petitioner and his associates have
demanded ransom from Goldsmith, he reached said place to nab
petitioner and his associates and saw that four miscreants came
who were nabbed by the police and from possession of one of
the miscreants, arms were recovered and it is further alleged

that petitioner tried to flee away, however, he was apprehended on chase and from his possession 1.10 kilogram of *charas* was recovered.

It has been submitted that petitioner is in custody since 27.09.2017, i.e., more than 4 years, and till date charges has not been framed against the petitioner, as such, there is no chance of conclusion of trial in near future. The commercial quantity of narcotic *charas* is 1 Kg and recovery from the possession of petitioner is stated to be slightly more i.e 1.10 Kg and there were four accused arrested and three of whom have already been granted bail by co-ordinate benches of this Court.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special Case No.142 of 2017 arising out of Sultanganj P.S. Case No. 224/2017 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned and one of the bailors should be his close relative.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--