

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36915 of 2021**

Arising Out of PS. Case No.-180 Year-2021 Thana- SITAMARHI District- Sitamarhi

Abhishek Kumar S/O Birendra Jha R/O Village-Gorigama (MORSAND), P.S-
Runni Saidpur, District-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra
For the Opposite Party/s : Mr.Ganesh Pd. Singh, APP

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

3 28-09-2021 Heard both parties.

The petitioner seeks bail in Sitamarhi P.S. Case No. 180 of 2021, registered for the offence punishable under Sections 8/20(b)(ii)C/22 of the Narcotic Drugs and Psychotropic substances Act, 1985. Later on, section 27A/29 of the NDPS Act was added.

As per the prosecution case, on secret information raid was conducted and 03 co-accused Manishankar Kumar, Sandeep Kumar and Kanhaiya Kumar were arrested with narcotic substance and disclosed the name of this petitioner as one of their associates.

It is submitted on behalf of the petitioner that no narcotic substance has been recovered from conscious possession of this petitioner. On the basis of confessional



statement of co-accused petitioner has been made accused in this case. Petitioner has got clean antecedent and he is in custody since 08.03.2021.

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 Special Judge, Sitamarhi in connection with Sitamarhi P.S. Case No. 108 of 2021, 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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