

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29583 of 2020

Arising Out of PS. Case No.-410 Year-2020 Thana- AHYAPUR District- Muzaffarpur

VIKASH KUMAR, S/o Lal Babu Sah, Resident of Village - Mithansarai, P.S.
- Ahiyapur, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 414/34 of the Indian Penal Code, Sections 20 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Two persons were apprehended on a motorcycle of a third person. From possession of the petitioner and co-accused one kg. of Ganja was allegedly recovered. Co-accused has already been allowed bail as he was juvenile.

Submission is that there is non-compliance of mandate of law in the matter of search and seizure. Petitioner has got no criminal antecedent. Petitioner is in custody since 08.05.2020. Investigation of the case against the petitioner is already complete.



Finding substance in the submission of learned counsel for the petitioner regarding non-compliance of mandate of search and seizure for the purpose of consideration of this prayer for bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ahiyapur Police Station Case No. 410 of 2020, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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