

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31076 of 2020

Arising Out of PS. Case No.-690 Year-2018 Thana- PATRAKARNAGAR District- Patna

SONU KUMAR, Son of Sukhdeo Prasad, Resident of Malahi Pakri, Sector -
F, P.S.- Kankarbagh, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Uday Chandra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-01-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 20, 22 and 24 of the Narcotic
Drugs and Psychotropic Substances Act, 1985.

The petitioner has renewed his prayer for bail.

Vide order dated 31.07.2019 the prayer for bail of the
petitioner was rejected with a direction to the trial court to
conclude the trial within a period of 12 months.

Allegation against the petitioner is of recovery of 325
gram of Brown Sugar from his possession.

Vide order dated 02.12.2020 a report was called for from
the learned court below regarding stage of trial in pursuance
thereof, the Additional District and Sessions Judge XXII, Patna



vide letter no. 122 dated 07.12.2020 has informed that due to prevalent pandemic, Covid-19 out of six witnesses, none has been examined and the charge was framed on 14.05.2019.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is recovery of 325 gm. of brown sugar from the possession of the petitioner which is very less than the commercial quantity. The petitioner is in custody since 23.11.2018 and has got no criminal antecedent. The co-accused have been granted bail by the Co-ordinate Benches of this court vide order dated 05.03.2019 passed in Cr. Misc. No. 12553/2019 and order dated 07.03.2019 passed in Cr. Misc. No. 9205/2019.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IVth, Patna, in Special Case No. 135/2018 arising out of Patrakar Nagar P.S. Case No. 690/2018, subject to the following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (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 Court and his absence on two consecutive dates without sufficient reasons, 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.

(Anjani Kumar Sharan, J)

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