

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58042 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- SITAMARHI District- Sitamarhi

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Arun Kumar Son of Sahdeo Yadav Resident of - Naya Tola, Jurabganj, P.S.-
Kodha, District - Katihar, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Ms.Preety Kunwar Mr. Amresh Kumar Sinha
For the Opposite Party/s :		Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Sitamarhi P.S. Case No.
97 of 2020, registered for the offence punishable under Section
399, 401, 414 of the Indian Penal Code and section 20, 22 of the
Narcotic Drugs and Psychotropic substances Act, 1985.

Earlier the bail application of petitioner was rejected
vide order dated 22.12.2020 passed in Cr. Misc. No. 35527 of
2020. Petitioner has renewed his prayer for bail on the ground
that quantity of recovered smack was not mentioned. Vide
annexure-3, it was found that weight of recovered smack was
1.88 gm which is less than small quantity. It is further submitted
that charge has already been framed on 01.03.2021. Petitioner is
in custody since 07.02.2020 and petitioner has completed 18



months in custody.

Considering the stage of trial and annexure-3 to this petition, 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 Sessions Judge, Sitamarhi in connection with Sitamarhi P.S. Case No. 97 of 2020, 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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