

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1428 of 2021

Arising Out of PS. Case No.-57 Year-2007 Thana- SAHEBPUR KAMAL District- Begusarai

AMARJEET YADAV @ AMAEJEET KUMAR S/O LATE GAJO YADAV
RESIDENT OF VILLAGE - KURHA, P.S. - S. KAMAL, DISTRICT -
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mrs. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2021 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in N.D.P.S. Case No.11 of 2007,
arising out of S. Kamal P.S. Case No. 57 of 2007 registered
under Sections 20, 22, 23 & 25 of the N.D.P.S. Act.

It is a case of misuse of privilege of bail.

It is submitted by learned counsel for the petitioner that
earlier the petitioner was on bail but his bail bond was cancelled
on 22.05.2018 due to his absence on the ground that the was
case was fixed for statement under Section 313 Cr.P.C. The
petitioner had no knowledge of cancellation of his bail bond as
he happens to be labourer and had gone outside of the State
entrusting the case to his learned counsel who left the pairvi in



the case and did not inform him about the fate of the case. Hence, in absence of the petitioner his bail bond was cancelled. The petitioner has been languishing in custody since 20.08.2019 and sufficiently punished for his fault.

Per contra, learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 Sessions Judge-cum-Special Judge N.D.P.S. Act, Begusarai with condition that the petitioner shall deposit a sum of Rs.3,000/- (Rupees Three Thousand) in the Legal Services Authority of the concerned district and also remain present before the Court on each and every date fixed in the case and in case of failure on two consecutive dates without assigning any sufficient and genuine ground to the satisfaction of the learned Trial Court, his bail bond shall stand cancelled.

(Anjani Kumar Sharan, J)

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