

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6438 of 2021

Arising Out of PS. Case No.-137 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

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Anil Seth @ Anil Kumar Verma S/O Anarat Seth R/O Village Kathej, P.S-
Mohania, District-Kaimur At Bhabua At Present Address-Village-Kudra, P.S-
Kudra, District-Kaimur At Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-04-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Kudra P.S. Case No. 137
of 2020 (NDPS Case No. 13 of 2020), registered for the offence
punishable under Section 21(A) of the NDPS Act.

As per the prosecution case, 5.07 grams of Heroin
was recovered from possession of co-accused Satyam Kumar
Singh.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. Petitioner is
not named in the FIR. Name of this petitioner has come in this
case on the basis of confessional statement of co-accused



Satyam Kumar @ Guddu Singh who has been granted bail by this Hon'ble Court vide order dated 29.09.2020 passed in Cr. Misc. No. 25233 of 2020. No incriminating article has been recovered from possession of this petitioner. Petitioner is in custody since 19.10.2020 having clean antecedent, as stated in para 3 of the petition.

Considering the facts and circumstances of the case and the fact that no drugs have been recovered from possession of petitioner and bears clean antecedent, 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 Additional Sessions Judge IIIrd, Kaimur at Bhabua in connection with Kudra P.S. Case No. 137 of 2020 (NDPS Case No. 13 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)

vinita/-

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