

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2499 of 2022

Arising Out of PS. Case No.-283 Year-2021 Thana- BAISI District- Purnia

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Sunil Kumar Singh Son Of Late Naresh Mandal R/O Village- Jagatpur, P.S.-
Lodipur, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union Of India Through Secretary, Department Of Internal Security,
Narcotics Control Bureau, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 11-10-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Baisi P.S. Case No. 283 of 2021 lodged under Section 414 of the
I.P.C. and 8 (c)/21 (b) of the NDPS Act.

As per the prosecution case, the patrolling party
apprehended the petitioner along with one other accused and
upon search, the 26 gm heroin was recovered from the
possession of the petitioner.

Learned counsel for the petitioner submits that the

antecedent of the petitioner is clean and he is in custody since 28.09.2021, charge sheet has already been filed in this case. Learned counsel further submits that the quantity recovered from the possession of the petitioner is 26 gm, which is more than the small quantity but lesser than the commercial quantity. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS Act, Purnea in connection with Baisi P.S. Case No. 283 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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