

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2939 of 2022**

Arising Out of PS. Case No.-84 Year-2021 Thana- KRITYANAND NAGAR District- Purnia

Aakash Kumar Singh @AAKASH Kumar @ Sittu Singh S/o Late Rajkishor  
Singh Resident of - Suddin Chowk, Tatma Toli, P.S. - K. Hat, District -  
Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      19-05-2022      Heard the parties.

Let the defect(s), if any, as pointed out be removed  
within a period of four weeks.

The petitioner is in custody in connection with K.  
Nagar P.S. Case No. 84 of 2021 arising out of Special Case No.  
17 of 2021 arising CIS No. 17/21 (NDPS Act) under sections  
8/21/22(B)(c) of Narcotics Drugs and Psychotropic Substance  
Act.

The prosecution story, as it unfolds is that the police  
on secret information intercepted a Maruti Swift Car and upon  
search of those sitting inside the car (Satyam Kumar Singh,  
Amit Kumar @ Jaikar, Amrit Kumar @ Sajjan and Ratan



Mohan Singh @ Chiku and Avinash Kumar @ Aakash) upon search one kg. and 500 gm. 'Brown Sugar' prohibited under NDPS Act as also Mobiles were recovered/seized. They were taken into judicial custody. The accused persons further revealed that they are engaged in the business of selling 'smack' and further stated that one Aman Kumar Singh is the leader as also his brother (the petitioner herein). It is in this way, the petitioner came into the judicial net and is in jail since 24.7.2021 (as stated in para-16 of the bail application).

Learned counsel for the petitioner submits that he was not one of the occupant of the Swift Car and as such there is no recovery from him. His name has come up in the confessional statements of accused persons who were arrested from the spot in which they have named Aman Kumar Singh (Annexure-2) as their leader and this petitioner being brother of Aman Kumar Singh as his associate. Learned counsel for the petitioner further submits that the said Aman Kumar Singh whom the accused persons alleges as a leader has since been granted bail by a coordinate bench of this Court vide Cr. Misc. No. 43756 of 2021 on 2.11.2021. He further submits that some other accused persons including those occupying the car namely, Ratan Mohan Singh @ Chiku has also been granted bail by a coordinate bench



of this Court vide Cr. Misc. No. 42265 of 2021 on 8.3.2022.

Taking into account the fact that the petitioner was not arrested from the spot, his name came up in the confessional statement, the other named in the confessional statement namely, Aman Kumar Singh has since been granted bail, he is in jail since 24.7.2021; this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, N.D.P.S., Act, Purnea, in connection with Special Case No. 17 of 2021, arising out of K. Nagar P.S. Case No. 84 of 2021 subject to the conditions:-

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every week for next six months to mark his presence;



(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/-

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