

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16334 of 2022

Arising Out of PS. Case No.-33 Year-2021 Thana- GUTHANI District- Siwan

SUNIL SINGH @ SUDHIR SINGH @ SUDHIR KUMAR SINGH Son of
Late Ram Ekbal Singh Resident of Village - Yogyadih, Police Station -
Guthani, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 23.09.2021, seeks
regular bail in connection with N.D.P.S. Case Trial No. 04 of
2022 arising out of Guthani P.S. Case No. 33 of 2021 registered
for offences punishable under Sections 8, 20(b) (ii) (a), 21(b) of
the N.D.P.S. Act.

As per the allegation made in the FIR, cash of Rs.
9,77,000/- and 658 gm of Ganja were recovered from the house
of the petitioner.

Learned counsel appearing on behalf of the petitioner



submits that total amount of ganja which has been recovered from the house of the petitioner is less than commercial quantity. He further submits that petitioner resides in a joint family and the alleged recovery of ganja cannot be attributed to him. Specific allegation of recovery has been made against the co-accused persons. Petitioner is in custody since 23.09.2021. He further submits that he has given details of cases in which for similar allegation he has been made accused in three cases which were instituted after the lodging of the present case and in one case he has been made accused on his confessional statement recorded in custody relates to the year 2019. Present is the case in which the police in illegal manner has implicated the petitioner in a false case.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made against the petitioner, period of custody undergone by him and trial is not likely to be concluded in near future, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge,



Siwan in connection with N.D.P.S. Case Trial No. 04 of 2022 arising out of Guthani P.S. Case No. 33 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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