

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24483 of 2022

Arising Out of PS. Case No.-146 Year-2019 Thana- INDUSTRIAL District- Bhagalpur

Sonu Kumar @ Sonu Kumar Sah @ Sethu @ Seetu Son of Ram Sah @ Ram Prasad Sah Resident of Mohalla - Aliganj, Ward No.- 42, P.S.- Mojahidpur (Babarganj), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-08-2022 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 N.D.P.S. Case No. 27 of 2019 arising out of Industrial Area P.S. Case No. 146 of 2019 lodged under Sections 20/22 of the N.D.P.S. Act.

As per the prosecution case, two vehicle i.e. Maruti Suzuki Car and Scorpio which were coming from Jharkhand when checked by the Policeman, 5 persons starting fleeing away but 4 persons were apprehended and they disclosed their names, on search 60 Kg. of *Ganja* has been recovered.

Learned counsel for the petitioner submits that petitioner is in custody since 29.10.2019 and the antecedent of petitioner is clean. He further submits that the 3 accused persons namely Subhash Prasad Sah, Manohar Yadav @ Mantu, Surendra Kumar Sah have already been granted bail by the Co-ordinate Bench of this Court vide order dated 25.08.2020, 10.11.2020 and 22.12.2021 passed in Cr. Misc. No.18994 of 2020, 29709 of 2020 and 56809 of 2021 respectively.

Learned counsel for the State opposes the prayer for bail but simultaneously mentioned that it is true that similarly situated person have been granted bail.

Considering the 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 Additional District & Sessions Judge-Vth, Bhagalpur in connection with N.D.P.S. Case No. 27 of 2019 arising out of Industrial Area P.S. Case No. 146 of 2019, 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 resulted into cancellation of his bail bond.

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

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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