

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27545 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- MINAPUR District- Muzaffarpur

KARAN KUMAR Son of Shankar Paswan Resident of Village - Ahiyapur,
P.S. - Ahiyapur, District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under section 20/22 of the
NDPS Act in connection with NDPS Case No. 30 of 2022.

As per the allegation in the FIR, one Mukesh
Kumar was apprehended and 20 pouches of 'Smack' like
material was recovered/seized.

So far as this petitioner is concerned, it is alleged
that he escaped from the place of occurrence.

Learned counsel for the petitioner submits that
neither he has been apprehended by the police nor anything has
been recovered from his conscious possession and only because



of the confessional statement of accused Mukesh Kumar his named has come up in the present case and he is in custody since 21.1.2022 (as stated in para-12 of the bail application).

Considering the fact that the petitioner has not been apprehended from the spot, there has not been any recovery from his conscious possession and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail with condition in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional and Sessions Judge cum In-charge Special Judge, NDPS Act, Muzaffarpur, in connection with NDPS Case No. 30 of 2022 arising out of Minapur P.S. Case No. 18 of 2022 subject to the following 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 fortnight 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)

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