

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32549 of 2022**

Arising Out of PS. Case No.-709 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Navin Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Archana Sinha @ Archana Shahi, Adv.
For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-09-2022 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
Sadar P.S. Case No. 709 of 2021 (N.D.P.S. Case No. 153 of
2021) lodged under Sections 21 (6) of the N.D.P.S. Act.

As per the prosecution the recovery of 6gms of heroin
was alleged to takes place from the possession of the petitioner.

Learned counsel for the petitioner submits that the
antecedent of the petitioner is clean and the recovered material
is much less then the commercial quantity but a little bigger
than the small quantity that is 5gms. Learned counsel for the
petitioner submits that petitioner is in custody since 24.10.2021,

charge sheet has already been filed having clean antecedent.

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 Ist Additional District and Sessions Judge, Muzaffarpur in connection with N.D.P.S. P.S. Case No. 153 of 2021 Sadar P.S. Case No. 709 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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