

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45730 of 2021

Arising Out of PS. Case No.-341 Year-2020 Thana- NAGAR District- Vaishali

SUNIL KUMAR @ SUNIL SAHNI @ SUNIL THIKEDAR Son of Sheo
Nath Sahni Resident of Mohalla- Nakhash Pathar Masjid, P.S.- Town Hajipur,
District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 15-04-2022 Heard the parties through video conferencing.

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 22.05.2020, seeks
regular bail in connection with Hajipur Town P.S. Case No. 341
of 2020 registered for offences punishable under Sections
8/20(6)(ii) (B) 29 of the N.D.P.S. Act

Allegation is of recovery of 5.660 kgs Ganja
(Marijuana) from the possession of the petitioner which is above
the small quantity.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is in custody since 22.05.2020. Nothing



has been recovered from his conscious possession. Petitioner has been made accused in the present case merely on suspicion. Charge-sheet has already been submitted. There is no allegation of tampering the evidence or influencing the witnesses. He further submits that petitioner may be released on bail by imposing any terms and conditions.

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

Without going into the merits of the case, taking into consideration the period of custody of the petitioner, 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 1st Additional District and Sessions Judge Cum Special Judge N.D.P.S Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 341 of 2020 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.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(vi) The petitioner will make his attendance before the concerned police station under which his house is located every fortnight till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

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