

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46645 of 2021

Arising Out of PS. Case No.-191 Year-2020 Thana- BIRPUR District- Supaul

VIKASH KUMAR S/o SRI RAJENDRA PASWAN R/o VILLAGE-
BAIJNATHPUR, POST BHEEMNAGAR, P.S.-BIRPUR, DISTRICT-
SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patla Kumari, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Special N.D.P.S. P.S. Case No. 6 of 2020 (arising out of Birpur
(Supaul) P.S. Case No. 191 of 2020) registered for the offence
under Sections 22(b) N.D.P.S. Act.

Recovery is of 460 packet of illegal drugs.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that the alleged recovery of Nitrosen-10
PKT, Spasmo Proxyvan Plas-120 stips do not fall within the
purview of Narcotic drugs as they are being used as



medicine for pain killing. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 28.08.2020.

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

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I -cum- Special Judge, N.D.P.S., Supaul in connection with Special N.D.P.S. Case No. 06 of 2020 (Arising out of Birpur Supaul P.S. Cae No. 191 of 2020) with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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