

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51287 of 2021

Arising Out of PS. Case No.-432 Year-2020 Thana- PHULWARISHARIF District- Patna

Ajeet Kumar S/O Mohan Bhagat R/O Village-Chainpur, P.S-Bhagwanganj,
District-Patna. At Present Sakin Govindpur, P.S-Phulwarishariff, District-
Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh,Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-01-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Special
Case No.113 of 2020 arising out of Phulwari P.S.Case No.432 of
2020 registered for the offence under Sections 20/22 of
N.D.P.S. Act.

Allegation is recovery of 15 Grams of Brown Sugar
from the possession of the petitioner and another co-accused-
Lav Kush Kumar.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He further submits that the petitioner has falsely been implicated in the present case. He further submits that a false and concocted story has been stated in the present FIR. He further submits that it appears from the seizure list that there is no signature of the petitioner. He further submits that co-accused, namely, Lav Kush Kumar has been granted bail vide order dated 06.08.2021 in Cr. Misc. No.29306 of 2021 by a Coordinate Bench of this Court. Petitioner is in custody since 10.08.2020.

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 petitioner, above named, 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 Addl. Sessions Judge-XXIV, Patna in connection with Special Case No.113 of 2020 arising out of Phulwari P.S.Case No.432 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 cancelled 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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