

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58559 of 2021

Arising Out of PS. Case No.-601 Year-2021 Thana- PHULWARISHARIF District- Patna

DEEPAK KUMAR @ TELI Son of Sri Anandi Paswan R/v- Purandarpur,
P.S.- Jakkanpur, Distt.- Patna at present resident of village - Cotton Mill
Company, Rashtriyaganj, P.S.- Phulwarisharif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Special Case
No. 90 of 2021 arising out of Phulwarisharif P.S. Case No. 601
of 2021 registered for the offences punishable under Sections
20/22 of the NDPS Act.

Recovery is of 20 gram of brown sugar containing in
20 purias each having 1 gram.

Learned counsel appearing for the petitioner submits
that petitioner has clean antecedent and has committed no



offence and has falsely been implicated in this case. He further submits that as per FIR, 20 gram of brown sugar has been recovered from the possession of co-accused, Abhishek Kumar @ Karu and on whose disclosure, name of this petitioner has surfaced in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. He further submits that co-accused Ravi Kumar @ Monu has been granted bail by this Hon'ble Court vide order dated 27.01.2022 passed in Cr. Misc. No. 56033 of 2021 and petitioner is in custody since 13.08.2021.

The learned Additional Public Prosecutor has fairly submitted that co-accused Ravi Kumar @ Monu has been granted bail by this Hon'ble Court.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum Special Judge, NDPS, Patna in connection with Special Case No. 90 of 2021 arising out of Phulwarisharif P.S. Case No. 601 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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