

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58684 of 2021

Arising Out of PS. Case No.-317 Year-2021 Thana- PURNEA SADAR District- Purnia

KARAN KUMAR Son of Amit Kumar Sharma @ Munn Singh Resident of
Rambagh, Near S.N.S.Y. College, Ward No.31, P.S.- Sadar, District- Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr.Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 27-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Learned counsel appearing on behalf of petitioner is
directed to make necessary correction in the bail application.

The petitioner seeks regular bail in connection with
Special Case No. 53 of 2021, arising out of Sadar P.S. Case No.
317 of 2021, for the offence punishable under Sections 8/20(b)
(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act,
1985.

The allegation is of recovery of 6.930 Kg of Ganja
from the house of Amit Kumar Sharma @ Munna Singh, father
of the petitioner.



Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. He further submits that the alleged Marijuana, which has been recovered from a box attached to the bed. The petitioner is 19 years old student and he has no concern with the alleged Ganja or with the trade of it. The father of the petitioner is made accused in the present case. The alleged recovery of Ganja is less than commercial quantity and as such taking into consideration the period of custody, the petitioner, who has clean antecedent, may be released on bail.

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

Taking into consideration the age of the petitioner, who is just 19 years old and has to pursue his studies, the specific pleading is that the father of the petitioner can only be held responsible for the recovery of the alleged Ganja, who has also been made accused in the present case. There is no allegation of tampering of evidence or influencing the witnesses, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, NDPS Act



Purnia in connection with Special Case No. 53 of 2021, arising out of Sadar P.S. Case No. 317 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) 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 bonds.

(5) The Court below is directed to verify the criminal antecedent of the petitioner and if the petitioner is found accused in any other case, as mentioned in paragraph No.3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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