

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58540 of 2021

Arising Out of PS. Case No.-123 Year-2021 Thana- RAJPUR District- Buxar

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Amit Kumar Singh @ Amit Ku. Singh Son of Dinesh Singh Resident of
Village - Piprakala, P.S.- Narahi, Distt.- Baliya (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the petitioner, above named, for grant of regular bail to the petitioner who has been made accused and put behind the bar in connection with Rajpur P. S. Case No. 123 of 2021 registered for the offences punishable under Sections 21 and 22(A) of Narcotics Drugs and Psychotropic Substances Act, 1985.

As per the prosecution case, it is alleged that the Police on secret information, apprehended three persons and from possession of one Prakash Virvar 01.36 gram heroine like narcotics substance rapped in paper has been recovered. It is further alleged that all the three named accused persons including this petitioner found involved in the business of



narcotics drugs.

It has been submitted by the learned counsel for the petitioner that nothing has been recovered from possession of this petitioner. The alleged recovery of 01.36 gram heroine like narcotics substance as has been made from possession of co-accused Prakash Virvar, is even less than small quantity. It is next submitted that the petitioner has got no criminal antecedent and he is in custody since 25.06.2021. Apart from the fact that investigation has been concluded and charge-sheet has already been submitted.

On the other hand, learned APP for the State opposes the bail application of this petitioner.

Having considered the submissions made on behalf of the parties and taking into account this fact that the recovery has been made from co-accused Prakash Virvar, not from the possession of this petitioner, in as much as the quantity of the narcotics substance which is said to have been recovered also within small quantity and this petitioner has no criminal antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned District Judge-cum-Special Court,



N.D.P.S.Act, Buxar. in connection with Rajpur P. S. Case No. 123 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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