

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58919 of 2021

Arising Out of PS. Case No.-403 Year-2021 Thana- SONEPUR District- Saran

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Vishal Kumar @ Chotu, Son of Mahesh Singh, Resident of Sonepur Adam,
P.S.- Sonepur, District- Saran.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kalyan Shankar

For the State : Dr. Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sonepur
(Harihar Nath O.P.) P. S. Case No.403 of 2021, instituted for the
offences under Section 22(b) of the N.D.P.S. Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 21.07.2021, charge-sheet has been
submitted in this case and has antecedent of one case.

Allegation is of recovery of 10.200 grams of smack
from the possession of the petitioner.

The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the case and nothing
was recovered from his possession and even assuming what has
been alleged is true without admitting the same, then the alleged



recovery is little more than the small quantity and much less than the commercial quantity of 250 grams. The learned counsel further submits that now, the charges have been framed against the petitioner and trial has not commenced.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in this case and charges have been framed against the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S., Saran at Chapra in connection with Sonapur (Harihar Nath O.P.) P. S. Case No.403 of 2021, subject to condition that one of the bailors shall be the father of the petitioner namely, Mahesh Singh and in the event, if it comes to the notice of the learned Court below that the petitioner is implicated in a case of similar nature, the learned Court below will forthwith cancel his bail bonds. Further, if petitioner does not appear before the learned Court below on two consecutive dates without any plausible explanation, the learned Court below will be at liberty to cancel his bail bonds.



The application stands allowed.

(Satyavrat Verma, J)

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